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EQUALITY

BY

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PREFACE

We, the peoples of the United Nations, determined...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small...have resolved to combine our efforts to accomplish these aims.

(*Charter of the United Nations*, 1945)

What are the implications, historical and contemporary, of that 'reaffirmation of faith', embodied in the Charter of the United Nations, in 'the equal rights of men and women and of nations large and small'? That is the basic question which this little book tries to answer. It examines the various elements of the democratic idea of equality in both their past and present contexts, and attempts to clarify the idea in terms of its contemporary applications—'full employment', 'social security', 'equal pay', 'freedom from fear and from want', 'the sovereign equality of all peace-loving nations'.

In method and intention the book is analytical rather than polemical. It does not try to make converts; but as so much of the argument is necessarily about matters which are highly controversial, it would have been insincere of the writer to try to conceal his own views on these matters. If the occasionally unqualified statement of opinion

challenges argument and dissent, that may be no bad thing; for so small a book can be no more than an incitement to further exploration of an unduly neglected 'current problem'. That problem is, in short, the nature and future of the democratic social-service state, its capacity to achieve social security and economic planning by democratic methods, and its ability to serve the needs of man in modern society. What follows is but one kind of approach to this many-sided 'current problem'. If the future of the democratic state seems, for the present, overcast by the shadows of the clash between east and west, this makes it all the more urgent for us to take our own bearings: for only when we have fully grasped the internal consistency of the western conception of democracy can it be usefully compared with alternative ways of life.

D. T.

Cambridge,
August 1948

CONTENTS

Chap. I. The Problem of Equality *page* 1

II. Legal Equality 25

III. Religious Equality 43

IV. Political Equality 60

V. Economic Equality 79

VI. Equality between Nations 115

VII. Conclusion: Liberty, Equality, Fraternity 136

Index 157

Chapter I

THE PROBLEM OF EQUALITY

'The conception of equality has been the prime factor in the creation of democratic theory, and from misunderstandings of it have sprung half the errors which democratic practice has committed.' So wrote Lord Bryce in his study of *Modern Democracies* at the end of the first world war. Despite this profound and timely warning, it has usually been assumed that the ideal of equality is somehow extraneous to English democratic ways and traditions—the fantasy of cranks and utopians, which has had little to do with the growth of political democracy, religious freedom and civil rights as Englishmen have understood them. Thus Mr Gladstone could declare that 'there is no political idea which has entered less into the formation of the political system of this country than the love of equality'. That was by no means true in Mr Gladstone's day, though it is true that the more sensational extensions of the ideal of equality into the realm of social and economic life were to come after his death.

Even in 1920, however, it was possible for Lord Bryce to dismiss the problem of economic equality as irrelevant to his discussion of *Modern Democracies*.

'Democracy,' he declared, 'which is merely a form of government, not a consideration of the purposes to which government may be turned, has nothing to do with economic equality, which might exist under any form of government, and might possibly work more smoothly under some other form.' It was during the years between the two world wars that democracy in western Europe ceased to be generally regarded as primarily or only a matter of civil and political rights; and only during the last generation has an effective demand arisen for what the French forces of resistance in their 'Resistance Charter' of 1944 called 'the setting up of a true economic and social democracy'. The problem of equality, then, is peculiarly a 'current problem'.

Of all aspects of democratic theory, the conception of equality has in recent years received least attention from writers about democracy. Among political theorists it has gone into eclipse. The only two notable exceptions in England date, significantly enough, from the year of the world economic crisis. In 1931 Mr Leonard Woolf published the first volume of *After the Deluge*, and Professor R. H. Tawney published his study of *Equality*. While Mr Woolf demonstrated the prime importance of the notion of equality in the democratic revolutionary movements of the eighteenth century, Professor Tawney pursued the meaning of the ideal of equality into the practical sphere of

social and economic reforms, many of which have since been carried out and have become part of the accepted functions of modern democratic societies. That was seventeen years ago; and little or nothing systematic has been written about egalitarianism since, despite the revolution in our normal working notion of what democratic states should do. The present little book cannot attempt to fill so great a gap. It attempts, instead, to raise the whole problem, to demonstrate its importance as a 'current problem', and to suggest certain lines of approach which may lead to closer definition of the modern ideal of equality.

Misconceptions of the meaning of equality as a democratic idea are so widespread that the first line of approach must be negative: what it is not.

To say that men are equal is not to say that they are identical. Even in its most basic mathematical meaning equality does not really mean identity. No mathematician ponders for long the equation $x = x$; but it is important for him to know whether $x = 8$. Such an equation is, in fact, a statement about the *value* of x. As in mathematics, so in politics, to assert equality is to make a statement about equal values. Mr G. K. Chesterton put it in a characteristically vivid way when he suggested that all men are equal in the sense that all pennies are equal. Some men are bright or dull, just as some pennies are bright or dull. But all have, in

the end, an equal value; for all pennies are stamped with the image of the king, just as all men bear the image of the King of kings. Or, to put it in another way: as in mathematics, so in politics, the postulate of equality implies that underneath apparent differences there exist certain recognisable entities or units which, *by dint of being units*, can be said to be 'equal'. Far from meaning that such units are indistinguishable one from another, it implies that they are very clearly distinguishable; but that even though distinct there is an ultimate quality of 'oneness' about each of them. It is this quality which makes possible further generalisations about them, and about their meaning when arranged into groups. It is the fact of individuality which gives significance to the idea of equality.

Secondly, equality implies similarity but not 'sameness'. It means that men are alike only in one important specified respect, their individuality, and not that they are all in general the same or can all be treated in the same way. In human affairs, unlike mathematics, numbers do not simply cancel out. To say that $\frac{x}{2} = \frac{2x}{4}$ may be eternally true mathematically, whatever x may be. But if x is a living entity, such as the baby brought before Solomon, it ceases to be true that one baby halved is in any sense equivalent to each of two babies halved. It all depends on whether or not you

are the mother of the second baby. It is this human, subjective quality which enters into all calculations about human affairs and makes social science and political theory quite different in character from natural science and mathematical theory. Even the basic sense of equality, discussed above, which can reasonably be transferred from mathematics to political theory, must be further modified before we can reach its true application to human society.

Thirdly, the ideal of equality has nothing to do with uniformity. To recognise that men are all equally individual human beings involves no desire or need to treat them uniformly in any ways other than those in which they clearly have a moral claim to be treated alike. Dispute comes, of course, over just what these moral claims amount to, and just how they should be satisfied in society. That is the crux of the problem, to which we shall return later.

Finally, since egalitarianism has come to be so widely associated with the demand for economic equality, and this in turn with communistic and socialistic movements, a few misconceptions must be removed before the argument can usefully proceed. Communism, socialism, syndicalism, and kindred movements which have arisen in protest against the economic consequences of industrialism, have been much concerned with the

paradox of 'poverty amidst plenty'. They have theorised about the reasons for the gulf between rich and poor, and they have in the present century demanded 'social security' for every citizen. But none of them which has been of any importance has demanded absolute economic equality, save the Babouvist movement, which will be discussed later.* It is, indeed, striking that the leaders of communism have so unanimously and so vigorously repudiated the ideal of absolute economic equality, and have moderated its applications even in the distant future of a 'truly communist' society.

The orthodox Marxian view of economic equality was expounded in the *Critique of the Gotha Programme* (1875). In a socialist society, because it is still stamped with the marks of the capitalist society from which it is emerging, inequality will continue.

> The right of the producers is *proportional* to the amount of labour they contribute; the equality consists in the fact that everything is measured by an *equal measure*, labour.... This *equal* right is an unequal right for unequal work.... In a higher phase of communist society, after the tyrannical subordination of individuals according to the distribution of labour, and thereby also the distinction between manual and intellectual work, have disappeared, after labour has

* Below, Chap. v.

become not merely a means to live but is in itself the first necessity of living, after the powers of production have also increased and all the springs of co-operative wealth are gushing more freely together with the all-round development of the individual, then and only then can the narrow horizon of bourgeois rights be left far behind, and society inscribe on its banner: 'From each according to his capacity, to each according to his need.'

Marx argued thus because, as he said, he believed that 'Right can never be higher than the economic structure and the cultural development of society conditioned by it'. He therefore relegated equality to the distant future of the communist utopia; and even there, since distribution is to be to 'each according to his need', and needs will differ in quantity and quality, there will be no absolute equality of wealth.

The disciples of Marx have been just as emphatic. Engels wrote in his *Anti-Dühring:*

The demand for equality in the mouth of the proletariat has, however, a double meaning. It is either—as was the case at the very start, for example, in the peasants' wars—a natural reaction against the crying social inequalities, against the contrast between the rich and the poor, the feudal lords and their serfs, surfeit and starvation; as such, it is the simple expression of the revolutionary instinct, and finds its justification in that and indeed only in that. Or, on the other hand, the proletarian demand for equality

has arisen as a reaction against the bourgeois demand for equality, drawing more or less correct and more or less far-reaching demands from this bourgeois demand, and serving as material for agitation in order to rouse the workers against the capitalists on the basis of the capitalists' own assertions; and in this case it stands and falls with civil equality itself.

Thus for Engels egalitarianism was part of the dynamic of a revolutionary movement, not by itself an attainable ideal. Stalin has since made abundantly clear that it has no place in a communist order as he plans it. He long ago attacked Zinoviev's 'demagogic chatter about equality'. In 1931 he said:

> Whoever draws up wage-scales on the 'principle' of equality and ignores the difference between skilled and unskilled labour is at loggerheads with Marxism and Leninism.

And elsewhere he said:

> The sort of socialism in which everyone receives the same wages, the same quantity of meat, the same quantity of bread, and receives the same products in the same quantity—such a socialism is unknown to Marxism. . . . Equalisation in the sphere of consumption and personal life is reactionary petty bourgeois nonsense, worthy of some primitive set of ascetics but not of a socialist society.

In so far as the economic ideal of socialism, as distinct from communism, is 'from each according

to his capacity, to each according to his needs', the best comment was made as long ago as 1895 by D. G. Ritchie:

> The socialistic ideal of the state must still be Plato's ideal, i.e. the state must be regarded as one family, in which all shall work according to their capacity and receive according to their needs—an ideal which requires a very high level of sympathy, but which has no connection with any abstract principle of equality.*

It can, therefore, be said that no important political movement of our times, except possibly anarchism, demands abstract and absolute equality. Yet equality can be an active and operative political ideal without being pushed to the length of absolute equality or uniformity. Political thinkers long ago abandoned the notion that liberty means absolute freedom to commit murder or theft, but they have not yet adjusted political theory to the notion that equality does not mean absolute similarity and uniformity. If attainable, or even if seriously attempted, absolute and abstract equality would, of course, spell the doom of culture and civilisation as much as would absolute liberty. But this in no way destroys either ideal as a valuable criterion of democratic life and society, by which men may guide their steps in the quest for human happiness, prosperity and peace. 'The important

* D. G. Ritchie, *Natural Rights* (1895), p. 262.

thing', writes Professor Tawney, 'is not that it should be completely attained, but that it should be sincerely sought.' And, as he adds, to abandon the demand because it cannot be absolutely satisfied is 'like using the impossibility of cleanliness as a pretext for rolling in a manure heap, or denying the importance of honesty because no one can be wholly honest'.

If what has been said above is accepted, it becomes clear enough that no very useful or constructive discussion of the democratic idea of equality can be conducted which presupposes that it aims at a dead level, at universal similarity. Yet this is precisely the assumption on which so much discussion has proceeded in recent years. Thus Miss Muriel Jaeger, in her book called *Liberty versus Equality* (1943), builds a straw figure which is all too easily overthrown. 'Equality', she writes, 'is not, however, a matter of degree. You cannot, as you can with liberty, have more or less of it. Things and men are either equal or not equal, though they may be equal in some respects and not in others.' But surely this is a distinction without a difference. In what sense can men be said to be 'more free' or 'less free' except in precisely this same sense—that they may be free in some respects but not in others? Men have enjoyed civil equality without political equality, and both without economic equality, just as men

have enjoyed religious liberty without political liberty or economic liberty. So distinguished a scientist as Professor J. B. S. Haldane has written: 'the admirable institution of universal suffrage is supported by the curious dogma of the equality of man', but 'the progress of biology in the next century will lead to a recognition of the innate inequality of man'.* The 'curious dogma of the equality of man' never, of course, rested on a theory of biological equality. Physiologically, all human beings are composed mainly of water; but no serious political thinker has adduced that fact as an argument for demanding the political or social levelling of men. There is plenty for the critic to attack in the advocacy and applications of egalitarianism, without attacking fictitious and imaginary arguments which no serious champion of it has ever used.

The ideal of equality has two sources of origin, one pagan and rationalistic, one Christian and spiritual. It has been developed and elaborated along two distinguishable though not always sharply distinct lines of thought. One dates from the Stoic philosophers of ancient Greece and their conception of natural law. 'They first taught the principle,' writes Lord Lindsay, 'unknown to Plato and Aristotle, of the natural equality of mankind. They taught that in spite of all differences of

* J. B. S. Haldane, *The Inequality of Man* (1937), p. 28.

race, culture, and station there was in every man a spark of the divine reason. By the help of the reason within him he could apprehend the fundamental principles of natural right.'* This notion merged easily into the Roman lawyers' conception of the *ius gentium*, principles of law common to, or observed by, all peoples with whom the Romans came into contact; although it never became identical with it, but remained an idealistic touchstone for a practical system of law.† Meanwhile Christianity introduced a new conception of equality. 'There is neither Jew nor Gentile,' wrote St Paul to the Galatians, 'there is neither bond nor free, there is neither male nor female; for ye are all one in Jesus Christ.' Christianity taught that all men are children of one Father, all men for whom Christ had died. The equality of men rested now on the equality of their relation to God. Concretely, there grew up in the Christian Church a society of men where the inequalities of political society were ignored or reversed; and even when the church developed a steeply graded hierarchy of its own, it was one different from that of feudal society, offering a 'career open to talents' even to the humblest members of worldly society, since

* Lord Lindsay, *The Modern Democratic State*, vol. I (1943), p. 58.

† Cf. Lord Bryce, *Studies in History and Jurisprudence*, vol. II, Essay XI (1901).

the priesthood was recruited from all levels of social life. And meanwhile the Catholic conception of natural law, partly derived from Greek and Roman ideas, perpetuated in theology the doctrine of the spiritual brotherhood of men.*

Thus the first significant feature of the ideal of human equality is that it lies embedded in the very foundations of European civilisation, in the amalgam of Greek, Roman and Christian ideas and institutions that are the rock on which our culture is based. The second is that it was in origin inseparable from some conception of natural right and natural law, an intrinsic part of a general philosophy of man and nature and God. These two facts about the ideal of equality have the peculiar significance that neither has anything whatever to do with democracy. Equality as an operative ideal in western European civilisation existed long before democratic ideals, as we understand them to-day, were thought of. Therefore one part of the problem of equality is to explain in what ways, for what reasons and with what consequences, the notion of human equality became linked with the ideals of modern democracy.

But one further characteristic of the early growth

* Cf. St Thomas Aquinas: 'promulgation of natural law exists by virtue of the fact that God has implanted that law in the minds of men in such manner that they apprehend it naturally'—i.e. by their reason (*Summa Theologica*, Part II (First Part), Quaest. XC, art. iv).

of the ideal deserves special attention. D. G. Ritchie expresses the point vividly like this:

> This ideal of equality is an inheritance from the inequalities of ancient societies; it is the idea of a peerage—an order or caste of nobles who recognise each other as in some respects and for some purposes equals, while asserting their superiority to the rest of the nation or the rest of the human race. The idea of equality has grown out of the idea of privilege; the same is the case with the idea of freedom. Both ideas are the outgrowth of aristocratic and slave-holding communities. It was in *contrast* with the subject and the slave that men first felt themselves equal and free.... The idea of equality seems primarily to be the outgrowth of an aristocratic sentiment; it is aristocracy passing over by a logical process to its own negation.*

These remarks contain a profound historical truth, which will later be further explored. It was relatively easy for the citizens of the small, compact community of the Greek or Roman city-state to accept one another as equals; the medieval feudal land-owning aristocracy could accept judgement by their peers; the Christian Church could be visualised as a community of believers who were all, in the eyes of God, equals. 'And all that believed were together, and had all things common', 'and the multitude of them that believed were of one heart and of one soul'. It is when the notion

* Op. cit. pp. 248, 261.

of human equality comes to be extended to comprise several varied communities, all social classes, believers and infidels alike, that it meets with greater challenge and undergoes important modifications. These modifications are, in brief, the connection between equality and democracy; for democracy as we understand it must apply first to the territorial nation-state and then to the whole community of nation-states.

The seed-bed of modern democratic ideas was the seventeenth and eighteenth centuries. In the seventeenth century Protestant and Puritan movements revived the Christian concepts of human equality; in the eighteenth century the rationalist movements revived the non-Christian concepts of natural rights, and among them the Stoic and Roman notions of human equality. Though different in origin, tradition and spirit, these two great forces mingled to produce eventually, by a tortuous historical process which must be briefly analysed, the modern theory of democratic society. In this way the forces moulding modern society returned to the first principles of European civilisation; its traditional ideals were restated and reinterpreted in more modern terms. The problem of what equality should mean in practical arrangements in a large national community that is not homogeneous in either social class or religious

belief remains, in consequence, one of the most thorny of 'current problems'.

Protestant theology not only produced doctrines of 'the priesthood of all believers' and the primacy of the individual conscience as against dogma and tradition, but it also began movements for the 'rule of the Godly' and the rule of 'the elect'. As has often been pointed out, Calvinism promoted two divergent social and political tendencies—towards democracy and towards aristocracy. But whichever the consequence of its teaching, the notion of a congregation or community of people equal in spiritual worth and in social rights and duties was its underlying principle. Like the early Christian Church, Protestant churches were communities within which the inequalities of the world outside were offset, overlaid and often reversed. The religious wars between Catholic and Protestant and the religious disputes between different Protestant sects led to two developments supremely important for the growth of egalitarianism. In the sphere of spiritual values and religious beliefs, they led gradually and painfully to toleration. The notion of a civil community not homogeneous in religious belief, and the abandonment of the principle of one state, one church, came partly from political exhaustion but partly, too, from the growing conviction that respect for the individual consciences even of

unbelievers and atheists was a Christian duty. In the sphere of practical politics, it led first to the growth of *politique* parties, often indifferent to religion and contending that 'the state must not perish for conscience's sake'. On this basis grew the strong unified centralised monarchies of France, after Henry IV, and England, after Queen Elizabeth. Throughout the seventeenth century the older ideal of religious uniformity revived, and further experiments in intolerance took place. The consequences of some of these will be examined below in connection with the growth of religious equality.* But the point that is often overlooked is that the strong national monarchies produced that wider consciousness of 'community' which made possible a further extension of egalitarianism beyond the boundaries of religious sect or church, and beyond the limits of social class. By imperceptible degrees the congeries of territories bound together in dynastic ownership as the personal 'estates' of the seventeenth-century kings merged into the more consolidated 'states' of the eighteenth century. The kingdoms of France under Louis XV and Louis XVI, of Prussia under Frederick the Great, of Great Britain under the Hanoverians, became 'states' in a more impersonal, modern sense than the kingdoms of a century before. The machinery of government

* Chap. III.

was becoming more highly organised and institutionalised; monarchs came to think of themselves as necessarily 'benevolent' despots, ruling as much for the good of their people and according to the principles of 'enlightenment' as for their private ambitions or according to their personal whims. And it became increasingly impossible for an eighteenth-century monarch to proclaim with conviction 'l'État c'est Moi'. The intensely personal rule of a Louis XIV, a Great Elector, or a Charles I had done something to create greater equality among all his 'subjects', if only an equality of subjection. The relatively more impersonal 'governments' of the eighteenth century breached privileges still further and subjected their peoples to a more modern kind of 'administration'. Military conscription, income tax, popular education, the modern civil service all date, significantly, from the eighteenth century and developed immensely throughout the nineteenth century.*

Thus, if the original ideals of equality had nothing to do with democracy, there is also a modern variety of equalisation which has little intrinsic connection with democracy: it is the equalisation that comes from common submission to a code of law, a system of administration and

* For a brief comparative account of these developments, see Sir Ernest Barker, *The Development of Public Services in Western Europe*, 1660–1930 (1944).

a type of government. But because, historically, this kind of equality developed contemporaneously with the modern ideals of democracy, and because modern democratic ideals had to find expression within the *milieu* of the territorial nation-state of western Europe and the overseas 'settled colonies' of Britain (which originally included the United States), we find it to-day almost impossible to think of the two separately. Through methods of political democracy, the 'rule of law' before which all men are equal has become the very basis of democratic government; and through religious toleration, civil and religious equality has become a characteristic of democracy as practised by our territorial nation-states. But though these developments are so inextricably interwoven historically, it is of some value to distinguish analytically between the kind of equality which can be organised legally and politically and can serve as a working element in modern democratic government, and the wider ideals of democratic egalitarianism bequeathed to us by Protestant and Puritan individualism and by eighteenth-century rationalist individualism. Social and economic equality—still unrealised aspirations in our democratic tradition—spring from historical roots that are different from those of legal and civil equality as achieved by the nineteenth century. These differences will be elaborated in the chapters which follow.

One further general observation is called for before the separate aspects of equality as an ideal are considered. It is the intimate connection, in the minds of the fathers of modern democracy in the seventeenth and eighteenth centuries, between the ideal of equality and the ideal of liberty. Both ideals sprang from the same faith in the common humanity of man, and the same spirit of reverence for the individual personality. In the Putney Debates of 1647 Colonel Rainboro demanded political liberty and equality in the same breath:

> Every man born in England cannot, ought not, neither by the law of God nor the law of nature, to be exempted from the choice of those who are to make laws for him to live under and for aught I know, to lose his life under.

John Locke, the supreme political theorist of the English Revolution of 1688, wrote:

> To understand political power aright, and derive it from its original, we must consider what state all men are naturally in, and that is a state of perfect freedom to order their actions and dispose of their possessions and persons as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man. A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same

faculties, should also be equal one amongst another without subordination or subjection, unless the Lord and Master of them all should by any manifest declaration of his will set one above another, and confer on him by an evident and clear appointment an undoubted right to dominion and sovereignty.*

The American Declaration of Independence, issued in 1776, followed the same logic:

> We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with inalienable rights; that among these rights are life, liberty, and the pursuit of happiness....

The French Declaration of Rights, thirteen years later, affirmed the same faith:

> Men are born and remain free and equal in rights.

It added that the law

> should be the same to all, whether it protects or punishes; and all being equal in its sight are equally eligible for all honours, places and employments, according to their different abilities, without any other distinction than that created by their virtues and talents.

The Declaration prefixed to the French Constitution of 1793 added:

> These rights are equality, liberty, security, property. All men are equal by nature and before the law.

Because, throughout Europe of the eighteenth century, the Catholic Church had become so closely

* John Locke, *Second Treatise of Civil Government*, § 4.

associated with feudal privilege or monarchical power, secular rationalists could not comfortably express their democratic aspirations in Christian terms of 'equality in the eyes of God'. But they found a convenient substitute in the 'law of nature' and even 'nature's God'. In such terms they framed the creed of democratic radicalism. It has been a tragedy that the ideal of equality was, therefore, to some extent emptied of its original spiritual content. Increasingly equality meant the claim of equal rights to happiness, and happiness was interpreted by philosophical radicals not in relation to the whole personality of man but only in relation to material welfare and pleasure. As M. Élie Halévy pointed out, the conception of an equal right to happiness in all classes and persons was a revolutionary, startling and even somewhat shocking principle in the eighteenth century. When Jeremy Bentham claimed that 'the happiness of the worst man of the species is as much an integrant of the whole mass of human happiness as is that of the best man', he was putting forward a radical doctrine of fundamental human equality which contradicted the whole existing conception of human society: which was that the happiness of common men had no proper political claim against the rights of property and privilege. Hitherto, in every society that had ever existed, citizenship, status, sex, social function, wealth

had been regarded as proper criteria for differentiating between those entitled to more happiness and those entitled to less. To propose and to work for a social order and a political system in which no such differentiation of rights applied was, indeed, a very revolutionary act.

To level up the enjoyment of happiness throughout the whole community became the peculiar mission of the Benthamite reformers. Men like Edwin Chadwick are the real fathers of the social-service state in modern Britain. Using parliament as primarily a legislative machine, and working through the agency of high-powered special commissions, the radical reformers laid the foundations of our public services in poor-law, local government, public-health organisation, and the rest. The integrated state acting through paternalist legislation and administration is in Britain the child of secular egalitarianism.

So, in France and Germany, modern public service organisations derive from the powerful traditions of Bonapartist despotism on one hand, and from Prussian paternalism on the other. The United States, which has never known a highly centralised authority, is slowest to provide social services. The links between autocratic centralised forms of government and the development of egalitarianism, both in theory and in practice, are close. The highly individualist—almost anarchical

—traditions of radical democratic thought have helped to obscure this affiliation. The even distribution of material benefits can be most readily achieved by high-handed and authoritarian means; and equality can thrive at the expense of liberty, even within the framework of a democratic society. But does this mean that such benefits can *only* be distributed at the cost of liberty? Or does the sacrifice of liberty follow as a consequence only because the wrong sort of equality is being attempted? These are vital contemporary issues to which the modern democrat has to provide some answer. If it be true that liberty and equality were, historically, twin ideals in the minds of democrats, how have they become separated? Is it possible to reunite and to reconcile the twin sisters, finding thereby a revitalised conception of democracy which may better fit the needs of our times? It is the connections between liberty and equality that are supremely important if democracy is not to be a house divided against itself; and a society in which they are *jointly* operative ideals will be more truly democratic than a society in which they are in recurrent conflict, or in which one is sacrificed to the other. The affiliations between the ideals of liberty and equality will be considered in the final chapter of this book; for they are the central clue to the advancement of democratic government.

Chapter II

LEGAL EQUALITY

The notion of equality has its roots deep in the very existence of law and the conception of equity. Sir Henry Maine, in his study of *Ancient Law*, has a classical passage on the relation between the legal doctrine of equality and the notion of equality as a 'natural right', the crucial portions of which are as follows:

That 'all men are equal' is one of a large number of legal propositions which, in progress of time, have become political. The Roman jurisconsults of the Antonine era lay down that 'omnes homines natura aequales sunt', but in their eyes this is a strictly juridical axiom. They intend to affirm that, under the hypothetical Law of Nature, and in so far as positive law approximates to it, the arbitrary distinctions which the Roman Civil Law maintained between classes of persons cease to have a legal existence....The jurisconsults who thus expressed themselves most certainly never intended to censure the social arrangements under which civil law fell somewhat short of its speculative type; nor did they apparently believe that the world would ever see human society completely assimilated to the economy of nature. But when the doctrine of human equality makes its appearance in modern dress it has evidently clothed itself with a new shade of meaning. Where the Roman jurisconsult

had written 'aequales sunt', meaning exactly what he said, the modern civilian wrote 'all men are equal' in the sense of 'all men ought to be equal'.

Maine saw in the *Ius Gentium* of the Romans the roots of the idea of equity.

> The equal division of numbers or physical magnitudes is doubtless closely entwined with our perceptions of justice; there are few associations which keep their ground in the mind so stubbornly or are dismissed from it with such difficulty by the deepest thinkers. Yet in tracing the history of this association, it certainly does not seem to have suggested itself to very early thought, but is rather the offspring of a comparatively late philosophy.... The Latin word 'aequus' carries with it more distinctly than the Greek 'ἴσος' the sense of *levelling*. Now its levelling tendency was exactly the characteristic of the Ius Gentium which would be most striking to a primitive Roman.... The neglect of demarcations and boundaries seems to me, therefore, the feature of the Ius Gentium which was depicted in Aequitas. I imagine that the word was at first a mere description of that constant *levelling* or removal of irregularities which went on wherever the praetorian system was applied to the cases of foreign litigants.*

The notion of equity has been one of the main vehicles by which ideas of natural justice have modified positive law, and by which positive law

* Sir Henry Maine, *Ancient Law* (1861), pp. 76 and 48–9 of 1907 edition.

has been adjusted to meet new social needs. It is a major link between the legal and the political concepts of equality; and the belief that there exists a set of legal principles according to which all men are treated as equals is thus the very basis of equality as an operative ideal in human society.

The traditions of the *pax Romana* inherited by the medieval kingdoms of Europe and the Holy Roman Empire from ancient Rome, and the teaching of the Catholic Church based on the writings of the Christian Fathers and the canon law, both presupposed a universal divine order, operating on principles of *iustitia*. These principles were inherent in natural law and in the law of God, and the laws of men reflected these higher laws. But the kind of law which in fact governed men in the middle ages was an elaborately hierarchical law, distinguishing between citizen and non-citizen, overlord and serf, spiritual and temporal powers, Christian and infidel. The rule of this law did not imply equality of all men before it. It meant rather the formulation of a special code of law appropriate to each category of person. The essence of it was careful discrimination between men according to status, function, creed, wealth or birth. Whilst all men on earth might be ultimately subject to the universal law of nature and of God, the laws of men were in fact concerned not with what is common to men but with what

distinguishes men one from another. The juridical and political structure of medieval society reflected its social divisions. The kind of court before which a man could be tried, the set of laws to which he was subject, and the range of punishments which might be inflicted upon him, varied according to his social status. Royal, seignorial and ecclesiastical jurisdictions jostled one another, mingled with a mass of local and customary laws, the laws of manors and merchants, the special privileges of towns and guilds. There was no 'common law' as we now conceive the common law. The conception of legal equality could have no concrete place in such conditions.

There was thus a striking contrast in the middle ages between the traditions of the *pax Romana* and canonical doctrines on one hand, and reality on the other. The process by which older ideals were revived and reality was brought into closer conformity with these ideals is long and complex.

In England during the middle ages royal jurisdiction tended—if somewhat fitfully—to gain ground at the expense of seignorial and local jurisdictions. The law of the king became more and more the law of the land. This process reached a climax in the sixteenth century, under the strong rule of the Tudors, and this climax happened to coincide with the spread of Protestant doctrines of the direct access of all believers to God, through

faith and grace and not only through the intermediaries of the church. From this time onwards, in other western European lands, royal jurisdiction and power also tended to undermine and supersede seignorial and ecclesiastical jurisdiction and power; and with this change the idea of legal equality began to grow.

All inhabitants of the kingdom came to be thought of—and with increasing reality to be—equally subjects of the king. The central theme of later medieval and early modern history is the growth of strong territorial monarchies, challenging in turn the power of nobility, clergy and rival rulers, until they acquired a supremacy over all which brought unification and greater uniformity. Where this supremacy was ill-established, excessively personal or purely political, it proved fragile and shallow. But where it was thoroughgoing and lasting, it brought a centralisation of judicial rights, legislative authority and political power which created a new kind of social order. England and France took the lead in this development; though royal supremacy struck deeper roots, and was more far-reaching, in England than in France. Thus it was England which historically created the model of a 'common law', in the sense of one pattern of law, equally applicable to all subjects of the king and enforced and administered throughout his kingdom with the uniform power

of a central authority. The greatest of all levellers were the strong kings; and the notion of the 'rule of law' came to be inseparably connected with 'the rule of the common law'.

In France the strong kings managed to assert royal supremacy—though more belatedly than in England—without underpinning this supremacy with the tough institutions of a uniform jurisdiction and a monopoly of justice. Until the French Revolution of 1789 the royal courts in France remained rivals (and not invariably successful rivals) of ducal, seignorial and ecclesiastical courts. Even the *Parlements*, originally outcrops of royal authority itself, tended to become rivals to the power of the king. It was only the French revolutionaries and Napoleon who eventually gave France an effective system of common law; and then it was, by English standards, an excessively centralised and uniform kind of common law.

The common law is simply the law that is common to all men within the state.

> In England [wrote Dicey] the idea of legal equality, or of the universal subjection of all classes to one law administered by the ordinary courts, has been pushed to its utmost limit. With us every official, from the Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done without legal justification as any other citizen....

A colonial governor, a secretary of state, a military officer, and all subordinates, though carrying out the commands of their official superiors, are as responsible for any act which the law does not authorise as is any private and unofficial person.*

It was the combination of the notion of 'the rule of law' with this peculiar English development of the common law that provided the basis for modern democratic government.

The flattening of the feudal pyramid which was achieved by the extension of royal justice and the growth of the common law involved one important development which became an integral part of democratic theory and method. This was the principle of seeking liberty through a 'separation of powers'. The first function to be separated from the other functions of government was the judicial. The common law courts in England early acquired a kind of semi-independence *vis-à-vis* the other departments of the royal council which were mainly concerned with policy and administration. The notion grew up that justice would be most complete, impartial and effective when it was

* A. V. Dicey, *The Law of the Constitution* (9th edition, 1939), pp. 193f. Cf. also T. F. T. Plucknett, *A Concise History of the Common Law* (3rd edition, 1940), Part I; and the present author's Current Problems book on *The Democratic Ideal in France and England* (1940), Chap. v, for elaboration of the contrast with France.

administered by courts separated as sharply as possible from the fluctuations of politics, and by judges with security of office and independence of spirit. In the course of the fifteenth, sixteenth and early seventeenth centuries, the common lawyers and the common-law judges chosen from them acquired in England remarkable independence.

The implications of the rule of law, as understood in England, have been stated often enough. They are that the system of justice should be one and uniform throughout the country; that all citizens equally have the right of recourse to it for protection and the redress of grievances; that all citizens are equally subject to penalties imposed by the law for violations of rights; that no citizen or class of persons is placed above or below the law, or entitled to claim any special and privileged type of jurisdiction. There may, indeed, be special exemptions from ordinary liability: judges and magistrates in the performance of their duties have special immunities, as have members of parliament 'on the floor of the House'. There is the peculiar principle of English law that 'the king can do no wrong'. But these exceptions have particular historical or functional justifications, and serve only to prove the rule. It is clear enough that the essence of the principle is equality: the denial of special privileges or immunities, and the

even-handed treatment of all citizens as equal citizens in the eyes of the law, with common needs of protection and of security, and equal rights to immunity from molestation so long as they respect corresponding rights of other people. It is equally clear that these principles had a direct impact on parliamentary politics in the seventeenth century, and on the whole nature of the British constitution.

The implications of the separation of judicial power from political and administrative power are less often stated, although they have been no less important in the evolution of the democratic ideal. In the eighteenth century foreign observers of the English constitution, such as De Lolme and Montesquieu, drew the conclusion that its operative principle was the separation not only of judicial from political power, but also of executive from legislative power. This was not true of the English constitution then; it has not been true of it since then.* But the belief that it was true has exerted a powerful influence on the constitution of the United States and on most modern French constitutions. It was true, however, that the legislative power became sufficiently independent of the executive to exercise some control over it; and in the nineteenth century Britain devised a

* Mr L. S. Amery has recently written a brilliant analysis of the close connection between government and legislation in the British constitution in *Thoughts on the Constitution* (1947).

further application of the principle, in the contention that administrative power should be separated from both judicial and legislative power sufficiently to secure its impartial, continuous and efficient working. Just as justice was lifted out of politics in the seventeenth century, so administration was taken out of politics in the nineteenth. Civil servants acquired much the same conditions of security of tenure and independence of operation as judges. So, too, the English monarchy was saved by 'taking it out of politics', in the sense that the king accepted as 'his ministers' the leaders of any party which gained a majority in the House of Commons. Dictatorships in modern times have arisen on the pretence of taking government out of politics; the single-party states have prided themselves in their elimination of party politics even from government. In England, the democratic state has evolved by taking everything out of politics except politics. The executive and legislature, in joint participation in the form of 'The King in his Council in his Parliament', are responsible for policy. That policy is then administered, and the laws applied, by administrative departments, law courts, local authorities, all enjoying considerable independence of executive and legislature alike.

In this respect, the 'separation of powers', interpreted in modern terms, works in exactly the

same direction as the 'rule of law'; and, indeed, the two principles are so interwoven both historically and in political theory that they are inseparable as the foundations of legal equality. As a penetrating German observer has remarked:

> The Rule of Law puts political power at a discount. It checks the ambitious politician in his fight for power and in his use of power. The more unscrupulous and adventurous he is, the more noticeable is the check.... Law balances the various social forces in a nation which are fighting for supremacy. Their fight is a natural, not an obnoxious thing. It is an expression of life and vigour. The Rule of Law does not prevent the fight, or at least a good one does not attempt to do so. It only provides rules of combat and regulations for defining the winner. It prevents the fight from becoming continuous and protects the defeated party from being crushed. It tries to distribute the spoils of victory in a fair way and to maintain the unity of the State and nation in spite of the conflicting aims of different groups.*

It equally militates against injustice in the courts, a spoils system or arbitrariness in the administration, and the tyranny of the single-party state. The contortions to which Nazi lawyers were driven in order to pervert the law into an instrument of party tyranny are well known; the rule of law, no less than the separation of powers, is destroyed by totalitarianism.

* *The Law Quarterly Review*, April 1943.

Both the purpose and the consequence of this removal of so much of the machinery of state from direct political control was to secure greater equality; more even-handed treatment of citizens, less arbitrary interference in the ordinary life of the common man. It also secured a firmer liberty—security from political trials, from privileged or politically powerful officials, from the burden of an oppressively centralised administration. It was accompanied by a shrewd political sense that there is a limit to the activities which can be 'taken out of politics' in a democratic community. There will be disagreement on matters of policy, so there must be politics; and the basic problem of democratic government is to define carefully those spheres of social action and governmental authority which can properly be made a matter for the independent expert, and those whereon the citizen may properly differ in opinion from his fellows. On such matters of policy and government, it is the business of a democratic state to provide full facilities for freedom of discussion, free election of representatives, and free association into political parties to promote the discussion and decision of contentious issues. To seek to remove such issues from political activity would lead to dictatorship; as, indeed, it has done in Germany, Italy and the other single-party states which appeared between the two world wars. To demand 'good govern-

ment rather than self-government', to exalt efficiency and continuity above all else, and to hold that 'whate'er is best administered is best', must always arouse suspicion and misgiving in the breast of the true democrat; for these demands conceal the wish to impose opinions and decisions from above in matters which rightly belong to the province of free discussion and democratic decision. The consequence of the attempt by the single-party state to take politics out of government is simply to make all government a matter of 'party politics', in the crudest sense.

In these ways the egalitarian principles inherent in the system of common law produced far-reaching consequences for the working of the modern democratic state. It was a two-way process. Not only did the fermentation of democratic ideals strengthen and develop the common law, but also the practical enforcement of the common law gave birth to certain practices and principles which democrats came to recognise as the very basis of the kind of social order they wanted. The normal legal maxims that a man should be tried in the presence of his peers, that he should be deemed innocent until he be proved guilty, that he should be punished only for proved violations of the existing law, and so on, all greatly strengthened the rights of the individual citizen against all

authority and against violence. They guaranteed his liberty—the liberty to do what the law allows, and to defend himself against molestation by the stronger.

The growth of the British police system affords a practical demonstration of these developments. Convinced that the best laws are worthless without efficient methods of enforcement and of arrest, and that good government must rest on guaranteed order, Sir Robert Peel and his followers in the first half of the last century set about devising a civil police force. Resting ultimately on the duty of all citizens to share equally in the tasks of preserving law and order, the police system which Peel devised has become a vital, and over-neglected, foundation of democratic society. As the historian of the British police, Mr Charles Reith, has put it:

By her success in evolving a police force which is wholly the instrument of law, and not of policy, and is dependent for its power on its ability to secure and maintain public respect, good-will and approval, and to use these in place of physical force for securing observance of laws, Britain has solved the fundamental problem of the existence of all democracies, which is the finding of means, not only of securing effective observance of democratically made laws, but of uniting the people in willingness of purpose and sacrifice for the maintenance of order, and the consequent preservation of community union and strength. In their

police system and its principles the people of Britain can see, if they choose to do so, the vision of the true democratic ideal of individual liberty.*

This conception of a civilian force which exists to serve the public—and whose duties soon came to include innumerable services other than the prevention of crime—was as great a discovery as the civil service generally. The policeman, like the civil servant, is officially impartial and non-political. He, too, has been 'taken out of politics' in democratic states, but made the servant of politics in modern dictatorships. A secret police or a political police means the denial of legal equality and civil liberty.

It is significant that it was England—the home of the ideals of the common law—which made three unique contributions to political science in the nineteenth century. The parliamentary representative system, the non-political civil service, and the non-military police force were all ultimately devices for ensuring the civil liberty and legal equality of democratic citizens. Behind all three lay the notion that all citizens have certain rights of liberty and equality, and the slightest infringement of these rights in the shape of special

* Charles Reith, *British Police and the Democratic Ideal* (1943), p. 6; cf. the same author's earlier work, *The Police Idea* (1938), and contrast E. K. Bramstedt, *Dictatorship and Political Police: The Technique of Control by Fear* (1945).

privileges, immunities or exemptions, could never henceforth be regarded as compatible with democratic government. In France these issues were also fought out fully and furiously in the famous Dreyfus case half a century ago. To the Republicans and the Dreyfusards it was a straight issue between those who maintained that considerations of national security and military authority must sometimes override these civilian rights, and those who contended that no man, even a soldier and a Jew, should be denied his equality of treatment before the law. It is significant that only when the Dreyfusards won the day was the Third Republic with its parliamentary system firmly established. In the *cadres* of the French state—in the army, navy, civil service and colonial administration—the desire and regard for special privileges persisted from the days of the *ancien régime* and the dictatorships of the Napoleons. Civilian republicanism had a long and tough struggle to defend its ideals of legal and civil equality. The *fonctionnaire* with special privileges remains a problem for all modern states. An English Lord Chief Justice, wrongly detecting a deliberate conspiracy of the bureaucrats, christened their rule *The New Despotism*; but he started a timely and valuable public discussion of the dangers of delegated legislation and delegated jurisdiction which continues still.* The

* See C. K. Allen, *Law and Orders* (1945).

rich resources of the principles of the common law to defend the individual's rights of civil liberty and legal equality have not yet been exhausted.

This brief historical analysis throws some light on the questions posed in the previous chapter. There is a stout legal basis, a strong institutional and administrative foundation, for modern democratic institutions which itself derived from predemocratic and often undemocratic sources. The old Whig tradition which regarded Magna Carta, the Bill of Rights and the Act of Settlement as democratic documents was only in one sense incorrect. These constitutional documents were not drawn up by democrats, or for democratic purposes. But in the course of the historical process, and by reason of the purposes to which the rights so achieved were put, they became, in fact, the essential framework within which democratic ideas could germinate and flourish. The centralised but not absolute monarchy, the institutions of parliament and royal courts, the conceptions of equality before the law, are historically the foundations of civil liberty and legal equality as we understand them to-day. It has been repeated so often that Magna Carta was a charter not of liberty but of liberties, that it is important to recall that liberties in turn, as Professor D. G. Ritchie sug-

gests in the quotation mentioned above,* became the foundation of liberty; and privileges gained for a class could be broadened out into equal rights for a whole community.

Democracy carried with it an impetus to extend democratic principles from the sphere of law and politics into the spheres of religious, economic and social life. These tendencies, in their diverse ways, prepared the way for 'the century of the common man'. The ideals of equality and liberty, in constant interaction, were the very fibre of this development; and in their modern manifestations they must be considered as the climax of a long historical process, and therefore as comprehensible only in relation to this continuous historical process. To regard egalitarianism, thus understood, as an incompatible intrusion into democratic ideals and practices, the product of occasional utopian cranks or latter-day socialists, is to misinterpret the whole history of modern democracy. The seven-point charter of women's equal rights, adopted by the Economic and Social Council of the United Nations in 1948, is only the latest eddy of the wave of democratic idealism which began nearly two centuries ago.

* P. 14.

CHAPTER III

RELIGIOUS EQUALITY

The most effective proof that the ideal of equality need not lead to uniformity is to be found in the story of the growth of religious equality. Religious equality grew up as the denial of the need for religious conformity; it thrived on the abandonment of enforced uniformity. It does not mean that all men must worship the same God, nor that all men should worship God in the same way. It means the opposite: that men should all be equally free to worship God in the manner dictated by their own consciences—and free not to worship at all, if their conscience so dictates. To many this appears intolerable and wicked. The church, it may be contended, should be buttressed by the power of the state, or should itself be invested with persecuting and punitive powers. This was the commonly accepted view in the middle ages, and in modern history until the end of the seventeenth century. Religious equality is a product of only the last two centuries of European history. It is a movement contemporary with, and in many ways closely connected with, the growth of legal equality. It is, historically, an essential part of the history of democracy,

requiring close attention in any attempt to understand democracy and to restate its ideals in terms appropriate to our own time.

Only after the Civil War did acceptance of religious toleration as inevitable become gradually the keynote of English politics. The nearest that France and Germany had come to the notion of toleration was that limited version of it embodied in the principle *cuius regio eius religio*. The devastating Thirty Years War in Germany ended in the Peace of Westphalia, and the territorial settlement was based on this principle. The ruler determines the religion of the ruled; and rival churches were given specific areas of territory within which each could continue to be intolerant. In 1594 Henry IV of France had issued the Edict of Nantes, by which the French Huguenots were granted possession of fortified areas within which they could practise their religion unmolested; and religious strife in France was held at bay for nearly a century by this partition.

Meanwhile, in England, the religious wars of the seventeenth century ended in the Puritan rule of the Protectorate, the semi-exhaustion of both sides, and the Restoration of the Stuarts. But the comprehensive traditions of the Anglican Church moderated the persecuting zeal of either side, and although both Catholic and Puritan Dissenters were excluded from political and civil office, con-

siderable freedom of private worship was tolerated. In 1685 the Catholic King of France, Louis XIV, revoked the Edict of Nantes and so outlawed his Protestant subjects in the name of religious and political uniformity. Two years later the Catholic King of England, James II, issued a Declaration of Indulgence suspending Anglican penal laws in ecclesiastical matters. These two incidents near the end of the seventeenth century mark the contrast of development in the two countries. Louis paid for his intolerance with the economic prosperity of France; James paid for his attempted tolerance with his throne. But whereas the rigid and orthodox uniformity of the French monarchy bred anti-clericalism and the rationalist scepticism of Voltaire and the eighteenth-century *philosophes*, the Whig Revolution which forced James to abdicate had as its official apologist John Locke, who was himself a champion of toleration and religious equality. The liberal objection to Louis was that he was intolerant of variety; the liberal objection to James was that under the guise of toleration he was seeking to reinstate an intolerant church. Ultimately, it was the same objection. But the manner in which it found expression was vastly different. It was as different as was the mood of Englishmen who cried 'No Popery and wooden shoes' from the temper of Frenchmen who cried *Écrasez l'Infâme.*

In France the Catholic Church was closely identified with the monarchy. The alliance of altar and throne was so strong that no part of the *ancien régime* could be attacked without also attacking every other part. The obstacle to liberty, equality, democracy, happiness and progress—all coming, in the eighteenth century, to be regarded as kindred aims—was legal and social privilege, in which clergy shared as much as the nobility. The vision of the last king strangled with the entrails of the last priest was the only imaginable prelude to the reign of reason and democracy. *L'Infâme* was not only the church; it was all superstition and all intolerance. When intolerance had been paradoxically so intolerantly 'crushed', the kind of religious toleration and equality which emerged could scarcely be the same as that which contemporary Englishmen, living under their much-admired 'Constitution', were experiencing at the hands of the placid Whig oligarchy led by a Robert Walpole and a Henry Pelham. It was as different in spirit as was the French Revolution of 1789 from the English Revolution a century before.

In all countries respect for differences in religion drew some support from indifference to all religion. But in England and the United States the survival of strong bodies of Dissent, the Free Churches, demanded a more constant and positive

practice of tolerance than could be derived from mere indifference. A constant determining factor in the growth of British democracy was the co-existence, within one island community, of diverse religious bodies. America, powerfully influenced by the non-conformist spirit of Puritan exiles from the days of persecution, overcame her early colonial phase of religious intolerance and the Union, when it came, rested on toleration. In France, and in other countries where religious uniformity was long imposed, the sweetening spirit of positive tolerance was weakened. Freedom of criticism, rather than freedom of worship, was the prime demand of democrats; and rationalist egalitarianism was a harsher, more strident doctrine than the quieter acceptance of religious non-conformity which gradually developed in Britain and America. It drew heavier support from anti-clericalism, agnosticism, indifference to religion, and irreligion. Christian democracy is a more recent movement in Europe as a whole than in Britain or America, because in Europe Christianity and democracy have been for long periods on different sides of the barricades.

In 1787 the Constitution of the United States (Article VI) laid down that 'no religious test shall ever be required as a qualification to any office or public trust under the United States', and the First Amendment (1791) prohibited impartially

the establishment of religion and any abridgement of the free exercise of religion. Although minority groups, such as Roman Catholics and Mormons, had to go on fighting for the full recognition of their freedom, religious equality in the United States was formally acknowledged from the first. 'No patronage and no persecution' was written into the very constitutional fabric of American democracy, whence it spread to the practice of American social life.

In Britain the American and French Revolutions served, at first, to strengthen the forces opposed to egalitarianism; it needed a whole century 'to transform the Restoration Church-State, aristocratic, hierarchical, territorial, Tory and Anglican, into a genuine if incomplete Parliamentary Democracy based on acceptance of the inescapable fact of religious diversity'.* The landmarks in the first stage of this process are the Toleration Act of 1812, the Repeal of the Test and Corporation Acts in 1828 and the Roman Catholic Relief Act of 1829. And in this period, which was also the Benthamite period of legal and political reforms, religious equality was closely linked as an ideal with civil liberty and equality. 'Civil and Religious Liberty' was the slogan, one part of it being regarded as inseparable from the other.

* William George Addison, *Religious Equality in England, 1714–1914* (1944).

In the clamour for legal reforms and political reform Dissenters played a central and crucial part. Closely joined with the Radicals and the Whigs, Dissenters were among the first—both chronologically and in importance—to demand the removal of civil inequalities and religious disabilities. Though fifty years later than in America, the notion of religious equality came also to be woven into the structure and spirit of the British parliamentary system.*

It must be noted how slow and gradual was the process of removing disabilities. At the time of the Whig Revolution Settlement Protestant Dissenters had been given substantial freedom of worship within a complicated network of regulations governing their meeting houses; but Roman Catholics had not enjoyed the same freedom, and all Dissenters were excluded from civil and political office until the end of the eighteenth century. Then equality did not come suddenly in the late 1820's. The emancipation of both Protestant and Catholic Dissenters was preceded by a long series of partial measures—in 1778, 1791 and 1793 for Catholics, in 1812 and 1813 for Protestants. Men had to get used very gradually to the notion of religious equality. No conquest for the ideal of equality has ever come suddenly; its path is an uphill one all the way, against forces which derive their

* Cf. Anthony Lincoln, *English Dissent*, 1763–1800 (1938).

power from superstition, prejudice, habit and all uncharitableness. This must be remembered when the notion of social and economic equality is considered.

The so-called 'emancipation' of Protestant and Catholic Dissenters in 1828–9 marked the passing of the old ideal of 'One church—One state', the identity of churchmanship and citizenship. But these measures were only—like the Great Reform Bill of 1832 in politics—the first vital breach in the walls of privilege. Decades passed before their implications were realised. Religious toleration and equality came at last by the normal English process, already described, of taking religion 'out of politics'. In the debates on the repeal of the Test and Corporation Acts, Lord John Russell recalled the abuses and empty formalities to which they had reduced Dissenters, and remarked: 'Such are the consequences of mixing politics with religion.' Part of the plea for separating politics from religion was that the mixture had discredited religion. It might be argued that a consequence of separating them was to debase politics; that is the main argument still used in defence of establishment. But whichever lost most by the degree of separation effected in 1828–9, this much separation was chosen as the lesser evil. The immediate alternatives seemed to be civil war or revolution in Ireland. It is seldom appreciated how many of the

liberal reforms of the early nineteenth century were carried not merely by a liberal spirit of benevolence and humanitarianism, but also by an urgent threat of disorder or worse. Only the threat of violence or the risk of breakdown in the system of law and order induced the forces of conservatism to acquiesce in reforms, and even (as with Peel or Wellington) to sponsor moderate changes lest worse befall.

The last thirty years of the nineteenth century in Europe brought increasing tension and friction between church and state. In Italy, Germany, France and Spain the Roman Catholic Church found its temporal and spiritual power challenged by the rise of great national states. In Italy after the frustration of republicanism, and in Germany after the period of the *Kulturkampf*, the friction decreased. In Spain it has never been removed, even by the separation of church and state in 1931. In France, growing more self-confidently republican and more aggressively anti-clerical in these years, the issue reached a climax at the end of the century in the Dreyfus case. The immediate issue was between the Republic and the army, between civilian and military authority. But the church tended to side with the army, and the rout of the anti-Dreyfusards led logically to the separation of church and state by the *Bloc des Gauches* under Émile Combes in 1905. The harshness and ill-

temper with which the separation was effected were the penalty for a generation of open contest between church and state, in which the republicans, liberals and democrats had waxed increasingly anti-clerical, and the clergy ever more vehemently anti-republican. Disestablishment was regarded —and in historical perspective was rightly regarded—as the long-range triumph of the French revolutionary principle of equality. Besides their traditional and family connections, the church and the army had one thing in common: a hierarchical, authoritarian structure and outlook. A republic based on the Jacobin theory of popular sovereignty and democracy, and traditionally opposed to hierarchy and privilege, could not indefinitely accommodate itself to the coexistence of two such bodies if there were recurrent clashes between them and the state.

Separation in France led to a sharp contrast between two societies, coexisting within one nation. Freed from state control, the church in France tended to become even more rigidly hierarchical and authoritarian than before. Earlier in the nineteenth century ultramontane writers like Lamennais had urged disestablishment to free the church from state control. It now had that effect, and the Pope could appoint bishops, and bishops parish clergy, without that need for governmental confirmation which had previously been required

by Articles 5 and 10 of the Concordat between Napoleon and the Papacy in 1802. As an English historian of France, Mr J. E. C. Bodley, wrote of the Separation at the time, it was 'an Ultramontane Act'. 'For the first time since the French people became a nation, the Pope is the absolute master of the Bishops and Clergy of France. Gallicanism, long declining, has received its deathblow.' At the same time the state, freed from links with the church and set upon a course of legislative policy infused with a secular and anti-clerical spirit, was able to attempt the creation of an even more rigidly egalitarian order than it could otherwise have attempted. Significantly the main spate of social reforms and collectivist legislation, designed to provide greater social security in France, followed immediately after the Act of Separation. It was carried out by the Radicals and Radical-Socialists who had been foremost in effecting the Separation. The heirs of Ferry and Combes were Clemenceau, Briand and even Jaurès and Blum.

In France, and still more acutely in Spain, overlong obsession with clericalist issues acted as a drag on the solution of more urgent and important social issues; energy was spent by democrats in fighting shadows of the past when it could have been much more profitably spent in securing timely social and economic reforms for the present. In

the countries where religion has remained longest 'in politics', as a controversial issue, social reforms have been tardiest and social democracy has been postponed. Religious equality is, even in this way, an essential preliminary to social and economic equality.

The main field of contention between church and state has been throughout, and still is, the field of popular education. The ideal of 'a free church in a free state', of a 'free field and no favour' as regards denominational schools, has played a large part in the national development of the United States. Other countries have, either by reason of the official establishment of one church or by reason of official anti-clericalism, seldom achieved the same degree of educational freedom and equality. There can be little doubt that the American attitude is the logically consistent attitude which most conforms to the general principle of religious equality. To permit any and every church to provide religious instruction in its own schools, subject only to the general requirement that these schools in matters of material equipment, sanitation and general standards of efficiency should not fall below a certain basic level, is true religious equality. To favour the schools of one church as against those of other churches, as is inevitable where one church is established and

receives official countenance from the state, is inequality of treatment.

The issue concerns not only the organisation of popular education but—more important—the substance of the education provided. Most Christian churches naturally believe that denominational religious instruction is not merely an essential part of the child's education, but the very basis of his whole education. The undenominational state school of any country is faced with a dilemma: either it must preclude spiritual education and religious instruction completely from the conception of education which it sets out to provide, or it must seek some minimum common kind of Christian teaching which it can provide without arousing the active opposition of any of the churches. It would be logical—though not without serious disadvantages—to recognise religious teaching as entirely a matter for church schools and for Sunday schools, and to confine the state school syllabus to the undenominational subjects. The 'agreed syllabus' of undenominational religious teaching, in use in English state schools since 1936, is the present characteristic and workable English compromise. By section 12 of the Education Act of 1936 the churches had to allow non-denominational teaching, according to a syllabus agreed by representatives of the Anglican and the Free churches, to be given to any child

attending a denominational school if his parents wish it and if he cannot conveniently attend a council school instead. In return, children might be withdrawn from religious instruction on an 'agreed syllabus' in a council school, in order to attend denominational instruction elsewhere. But to separate in the child's mind (and in his course of education) his religious and spiritual life from the rest of his education has obvious and grave educational disadvantages. He can scarcely be encouraged 'to see life steadily and see it whole'.

A strong demand has arisen both in Britain and in France for 'the common school', or *l'école unique*. Let all children, it is argued, go through the state-provided mill of a common school, wherein children of every parentage, creed, social background and economic condition may rub shoulders together and learn a common culture and a common citizenship. Let religious instruction be left freely to the home and the Sunday school or other church organisations; but let the state schools eschew religion and concentrate on providing all the rest of the young citizen's essential education. This is the most extreme application of the principle of religious equality; but it in no way overcomes the objections to rigid separation of religious education from the rest of education, and would even accentuate the cleavage.

The storm of criticism aroused among churches in Britain by the Education Act of 1944 is an indication that the issue is still a live and lively one. In this respect the chief point about the Act was that it was a further compromise. The 'dual system' was preserved, in the sense that where voluntary schools were able to pay at least half the cost of alterations and improvements needed to bring the buildings up to standard, their old freedom was maintained. But where they could not do so a new category of 'aided schools' was introduced, in which all financial independence was lost, and with it the right to appoint and dismiss teachers. Denominational teaching, however, was still allowed for not more than two periods a week to those children whose parents wished it. Thus the essentials of the dual system are kept, but the net of state restriction is drawn tighter, and the independence of some voluntary schools is diminished in the name of uniformity of minimum standards and a common level of efficiency. It is a move in the direction of greater social equality, and in so far as public authorities now meet half the costs of 'aided' schools and all the costs of 'controlled' schools, it is a recognition of religious equality. No discrimination is exercised, of course, between the various religious organisations which run such schools, other than the purely financial test of whether or not they can

foot half the bill of costs of improvements. Here, as always, there is a tension between the demands of liberty and of equality; and the wise democracy is that which seeks to harmonise the two without unduly sacrificing either.

It is unnecessary here to go further into the familiar controversy of the 'common school' and the role of education in making for social equality; into the much-vexed problem of the public schools in England and the church schools in France.* The essential principle, from the point of view of egalitarianism, is not uniformity of national education, nor exclusion of experimental, private and 'freak' schools. It is the principle that differences of education should depend on the abilities and needs of the child as an embryonic personality, and not on the wealth, status or occupation of its parents. The human case for the maximum social equality in education has been stated in moving terms by Professor Tawney:

Every year a new race of some 200,000 souls slips quietly into the United Kingdom. About one in fourteen dies within a year. The business of the survivors is first to live and then to grow. The purpose of the educationalist is to aid their growth. How easy to regard them, not as employers and workmen, or.

* Cf. D. Hughes, *The Public Schools and the Future* (1944) and H. O. Evennett, *The Catholic Schools of England and Wales* (1944), both in Current Problems Series, for special studies of two aspects of this controversy.

masters and servants, or rich and poor, but merely as human beings! How easy, and in a world where humanity is apt to be forgotten in the roar of conflicting interests, how salutary and charming! Here, if anywhere, the spirit of equality might be expected to establish its kingdom. Here, if anywhere, it should be possible to forget the tedious vulgarities of income and social position, in a common affection for the qualities which belong, not to any class or profession of men, but to man himself, and in a common attempt to improve them by cultivation. It should be possible. And, if that gracious possibility still eludes our grasp, it is not circumstances, but ourselves, that must bear the blame.*

The spirit of equality, as a moral outlook and an agent of social reform, could scarcely be better expressed.

* R. H. Tawney, *Equality* (p. 200).

CHAPTER IV

POLITICAL EQUALITY

As with so many reforms of the nineteenth century, it is difficult for twentieth-century minds to appreciate the full horror with which the prospect of 'universal suffrage' was viewed by men a century ago. The idea that the right to vote should be coextensive with adult citizenship was one of the fundamentally revolutionary conceptions of the nineteenth century throughout Europe and Great Britain. The eighteenth century had regarded politics as reflecting the balance of wealth; economic power as necessarily and rightly determining political power. This notion, which today smacks of Marxism, was the orthodox and generally accepted doctrine of the English constitution in the eighteenth century. Political theorists from John Locke to Edmund Burke were well-nigh unanimous in holding that the right men to govern England were men 'with a stake in the country'—the oligarchy of big landowners, who clearly had most to lose if the country were misgoverned or if there were foreign invasion. It was even revolutionary to suggest—as did mercantilists like Thomas Mun or free-traders like Adam Smith—that the wealth of

nations might lie in trade or industry and not only in land. Once these suggestions were accepted, it was an easy next step to demand that these forms of wealth, too, should be represented in parliament. Writers like Bolingbroke and Hume normally thought in terms of different *blocs* of economic interest and social connection such as 'the landed interest', 'the moneyed interest', 'the labouring interest', 'the dissenting interest', and so on. Until the rise of the Radical movement in the late eighteenth century, coinciding with the American and the French Revolutions, it was generally assumed that property and not persons ought to be represented in parliament. Even wayward Whigs like Lord Chatham criticised any suggestion to the contrary, and it is somewhat anachronistic to think of the pre-Reform Bill parliament as being, in Porritt's famous phrase, 'The Unreformed House of Commons'. The eighteenth-century electoral system was admirably suited, on the whole, to serve the purpose which most men agreed it should serve: that is, to reflect politically the existing social balance. The early reform movements, other than the outright Radical movement, were all concerned to readjust the system so as to give a greater share of representation to other economic blocs than 'the landed interest'. It was only when the industrial revolution had shifted the actual balance of wealth and

social forces in the country, so that the landed interest now seemed to be too heavily represented and the moneyed and manufacturing interests too little represented, that any serious change in the old system was contemplated.

In a real sense, therefore, the very notion of political equality could not arise as an operative ideal until it was widely accepted that persons, and not property, ought to be represented in parliament. As the late Mr G. S. Veitch showed in his admirable study of *The Genesis of Parliamentary Reform*, the essence of Radicalism was to replace the idea of the sovereignty of parliament by the Jacobin idea of the sovereignty of the people. The two principles could be reconciled only when parliament came to be based on regular popular elections, wherein 'the people' could express their 'sovereignty' by creating a parliament which could then exercise its 'legislative sovereignty' in conformity with the generally approved policy of the majority. But to find what the majority's opinion was, there had to be a great widening of the franchise. The doctrine of universal suffrage, working through a free electoral system, was the democratic doctrine which won a steady series of triumphs throughout the century. It carried with it implicitly the principle of political equality—'One man—One vote'; the extension to include 'One woman—One vote' had to be fought for

separately, and gained recognition only after the first world war in Britain and America, and only after the second world war in France.

The counterpart to the intense fears aroused by such extension was the intense optimism which universal suffrage inspired in the breasts of its supporters. When all men had the vote the golden age of general happiness and prosperity would come. The interests of each and the interests of all would be automatically harmonised, and a new age would be born. Let all men have an equal say in government, and the greatest happiness of the greatest number must surely result.

One of the wildest optimists in this respect was Tom Paine. In his *Rights of Man* (1791–2) he wrote:

> There is a morning of reason rising upon man on the subject of government that has not appeared before. As the barbarism of the present old governments expires, the moral condition of nations with respect to each other will be changed.... Government ought to be as much open to improvement as anything which appertains to man, instead of which it has been monopolised, from age to age, by the most ignorant and vicious of the human race.

But although he held that 'men are born, and always continue, free and equal in respect of their rights', he also held that these rights are 'liberty, property, security, and resistance of oppression'.

Far from being a leveller, he rebutted the charge that equality meant levelling, or artificial uniformity.*

We have heard the *Rights of Man* called a *levelling* system; but the only system to which the word *levelling* is truly applicable is the hereditary monarchical system. It is a system of *mental levelling.* It indiscriminately admits every species of character to the same authority. Vice and virtue, ignorance and wisdom, in short, every quality, good or bad, is put on the same level. Kings succeed each other, not as rationals, but as animals. It signifies not what their mental or moral characters are.

This optimistic faith in the potency of universal suffrage for producing universal improvement lasted throughout the nineteenth century in Britain and France. Gladstonian Liberalism owed much of its fervour and strength to this faith. The founder of modern French Radicalism, Léon Gambetta, went so far as to put it like this, in the famous Belleville Manifesto of 1869 which he addressed to his Parisian electors:

With you, I think that universal suffrage, once made the master, would suffice to sweep away all the things which your programme demands, and to establish all the freedoms, all the institutions which

* He advocated a national fund out of which £15 would be paid to every citizen at 21, and £10 per annum to every citizen over 50, 'to enable them to live without wretchedness and go decently out of the world'; an interesting variant of 'cradle-to-grave' security.

we are seeking to bring about.... With you, I think that a legal and loyal democracy is the political system *par excellence*, which achieves most promptly and certainly the moral and material emancipation of the greatest number, and best ensures social equality in laws, actions and customs. But—with you also—I consider that the progressive achievement of these reforms depends absolutely on the political regime and on political reforms, and it is for me axiomatic that in these matters the form involves and determines the substance.*

This was the authentic creed of nineteenth-century Liberalism; it seemed to be endorsed by recent French history, in which political revolution had always frustrated social changes, as in 1830 and again in 1850. Disappointment of these high hopes did much to discredit parliamentary democracy in the twentieth century.

The arguments with which conservatives rebutted—or very gradually and reluctantly induced themselves to accept—universal male suffrage reveal the novelty of democratic doctrine. In Britain the stock argument was that universal suffrage would upset and destroy the traditional balance of the constitution on which British liberties depended. It would lead inevitably to the overthrow of the monarchy and the House of

* Cf. the present writer's study of *Democracy in France: The Third Republic* (1946), for elaboration of this theory and its consequences in modern France.

Lords. In the 1870's there was a vigorous republican movement led by men like Sir Charles Dilke, John Morley and Frederic Harrison, which argued that democratisation of our system of government must lead to a Republic. The force of the American and French examples was great. In France an occasional conservative like Taine was able to view the process with some equanimity. In his pamphlet *Du Suffrage Universel* (1872) he justified it on the grounds that 'it is in conformity with justice that, whether I wear a smock or a black coat, whether I be capitalist or navvy, no one should have the right to dispose without my consent of my money or my life. It is therefore reasonable that a peasant or a worker should have a vote, as much as a bourgeois or a nobleman; even if he be ignorant, dull, ill-informed, his savings and his life are his own.' A liberal like Prévost-Paradol in 1868, though full of misgivings about whither it might lead, justified universal suffrage on the grounds that it would steal the thunder of all political agitators, who could demand nothing further, so that it would serve as 'a reinforcement of material order and public peace'. The Third Republic was based from the first on universal male suffrage mainly because—as Louis Blanc put it—the conviction spread that 'universal suffrage is the instrument of order *par excellence*'. In short, like the emancipation of Dissenters and

religious equality, political equality was accepted as an alternative to disorder. Conservatives who supported or acquiesced in the great Reform Bill of 1832 or the Third Republic in France did so when the only alternative was civil disorder, the danger that 'the king's government might not be carried on', and violence threatening revolution. The achievement of female suffrage in Britain and America repeats very much the same story.

The strange clash of ideas and instinctive arguments is similarly revealed in the fight for secret ballot. It is at first sight remarkable that secret ballot was achieved as late as 1872 in Great Britain —only after the Second Reform Bill. No measure was more necessary to ensure political equality in the free use of the vote by those who already enjoyed the suffrage. So long as intimidation and victimisation were possible the vote was virtually worthless to the poorer voters. Yet attempts to ensure secrecy of voting were repeatedly frustrated. It was included in the unsuccessful Chartist programme of the 1830's. A Ballot Society, founded to press for secrecy and therefore security of voting, made little headway. It was argued that it would mean a breach between the privilege and the responsibility of voting, and that 'the motives under which men act in secret are as a general rule inferior to those under which they act in public'. Only the notorious corruption and

abuses of the elections of 1868 led to decisive steps. Even then the Ballot Act was rejected by the Lords in 1871, was opposed by Disraeli in 1872 as a retrograde step divorcing political life from publicity, and was passed by Gladstone against fierce hostility from the Lords and secret disapproval from the Commons. So elementary a safeguard of political equality was won only after violent struggle, long delay, and vivid practical demonstration of how pernicious the alternative could be.

The case for universal suffrage and political equality does not rest on any superstition that all men, by acquiring the vote, become equally wise or equally intelligent. It rests, both historically and philosophically, on the belief that if any section of the community is deprived of the ability to vote, then its interests are liable to be neglected and a nexus of grievances is likely to be created which will fester in the body politic; on the belief that if any section of society is given additional voting power, then it will likewise tend to use (or at least be tempted to use) that additional influence to manipulate legislation and state action in favour of its own sectional interests, with similar results; on the belief that no effective and satisfying criterion can be found for discriminating between the degree of political power which citizens shall be constitutionally given which does not cause

injustice to some citizens; and that therefore the general rule of one-citizen-one-vote is the best practical device yet discovered for enabling public opinion to express itself in state action. The ultimate and indeed the original reason for political equality—with the natural exceptions of children, the insane and convicted criminals—is the practical, hard-headed and realistic one that it works best.

This consideration has not prevented most democracies experimenting with various devices for weighting votes. England has had plural voting for the owners of business premises in constituencies different from those of their residences, and for graduates of the Universities, although no voter might poll more than two votes. France, until 1945, excluded women from the vote altogether. Belgium gave weighted votes to propertied men. America, despite constitutional provision to the contrary, has various quite effective practical means for deterring negroes from using their votes. Most modern democracies have found other means—such as second chambers constituted on a principle other than direct popular election by universal suffrage—for checking the operation of the popularly elected legislative assembly. But all such devices produce anomalies which are difficult to justify, and the irresistible conclusion from modern trends is that the only

consistent principle for modern democracy is universal suffrage, based on simple political equality.

There is a further reason for this conclusion. It has become increasingly important in the modern state to think not so much of representative government as of responsible government. What distinguishes democracies from dictatorships is not that in one people can vote and in the other they cannot. It is that in the one the government can be removed from power when a majority of the people wish to remove it, and in the other the government is irremovable and therefore able to behave irresponsibly and tyrannically. Twentieth-century experience shows that no religious, civil, legal or other rights are secure unless the government can be made and kept responsible to public opinion. A single party securely entrenched in public office, with a monopoly of political power in its own hands, is the foundation of modern dictatorship. It may erect a façade of popular representation; Mussolini kept the Chamber of Deputies until 1939 and Hitler made a tame Reichstag register his wishes. It may retain a pretence of direct popular voting in the form of plebiscites. But it is all a sham unless the government of the day really can be overthrown and replaced when the nation as a whole, writing, speaking and associating freely, wishes to make

a change. Compared with this great essential of all freedom and all equality, the precise 'representativeness' of parliaments and other assemblies is a minor matter.

For this reason, the consequences of rigid egalitarianism in politics must be modified in practice. The egalitarian might argue for representation to be as exactly 'proportional' as possible, and such argument is indeed the logical argument from individual political equality. But any scheme which ensures that all shades and nuances of public opinion are faithfully reflected in parliament and which tends to jeopardise the stability and responsibility of government is likely to do more harm than good to the cause of political democracy. Parliament exists primarily to produce and watch over a government; and provided that representation is not so disproportionate that it permits a governmental majority to rest on a small minority vote in the country the egalitarian can be substantially content.

It is always difficult to ascertain how far the mode of working of any political system is due to the presence or absence of proportional representation. But the contrast between the results of elections since the war in Britain and France suggests that proportional representation has been no blessing to France. In both countries modern political parties are highly organised and some are

highly disciplined. In the British general election of 1945, a labour poll of nearly 12 million votes yielded a labour majority of some 400 out of 640 seats; a conservative vote of nearly 10 million yielded only 213 members.* It is plainly very 'disproportional' representation; but it did produce a stable, single-party government capable of pursuing a definite policy at home and abroad. In France a very elaborate system of proportional representation ensured that parliament exactly reflected the broad divisions of opinion in the country, and as the electorate was approximately equally divided between the supporters of communists, M.R.P. and socialists-plus-radicals, the system produced three strong parties in parliament alongside a number of smaller and more right-wing groups, and a series of somewhat precarious coalition governments. If the ministries of the Fourth French Republic have not been noticeably more stable than those of the Third, it is primarily

* The results of this election have been very fully analysed by R. B. McCallum and Alison Readman, *The British General Election of* 1945 (1947). As regards the question whether the Labour Government rests on an actual minority of the whole electorate, their answer is: 'The socialists win by a small margin of 65,000 votes, which can be cancelled out if the unclassified independents and the Welsh nationalists are both thrown into the other side of the scale. One way or another there is very little in it.' Thus proportional representation might well have produced an even more complete deadlock than in France.

because of this balance between the three major political parties, and because—as before 1940—all governments except Blum's caretaker cabinet of 1946–7 have had to be coalitions of two or three large parties. All parties accept, however, the datum of complete universal suffrage, political equality, as the bedrock of republicanism. Since General de Gaulle, in 1947, placed himself at the head of a new party, the main dispute is not about political representation and equality, but about the respective merits of one-party ministries and multi-party coalitions.

The most practical argument for universal suffrage and systematic governmental responsibility is that only the wearer knows where the shoe pinches, and should not suffer in silence. This consideration carries particular weight in the modern social-service state, wherein government and administration are assuming ever-increasing responsibilities for the well-being, prosperity and security of the mass of citizens. More people are 'being done good to' in the modern world than ever before in history; and if the situation should arise in which the people had no say—or even a diminishing say—in what sort of good should be done to them, and how and by whom it should be done, then a new, more insinuating, form of tyranny would be created. Benevolent despotism, of kings or civil servants,

is none the less despotic for being benevolent. These striking modern developments—greatly hastened everywhere by the last war—are an argument for greater, and not less, insistence on the principles of political equality. The common charge against the commissars and other bureaucrats of the Soviet Union is the privileges and additional wealth which they and their families acquire by dint of being the people who are doing good to the whole community. Privilege based on administrative status and social prestige may be as vicious and as pervasive as privilege based more blatantly on hereditary right, legal exemptions, or sheer private wealth.

In short, democracy is a theory of power. It is a theory of how communal power ought to be distributed and controlled, so as to provide the greatest security, freedom and equality for the individual. The most democratic nation is that which most effectively harnesses political power for the general benefit of the whole community of ordinary citizens. Power to-day means, in the long run, control of the state; for that brings with it all other forms of power—economic, military, propagandist.

In America the problem was simplified because the ideal of political—as of legal and religious—equality was inherent in her political system from

the first. But it was complicated by the presence of slavery. The political emancipation of slaves was granted by Lincoln as a by-product of the Civil War; and it is noteworthy that black men were accorded the vote before it was given to white women, so that even race was regarded as a less important reason than sex for political inequality.

Racial discrimination, like caste distinctions which are often based on it, would seem to be an almost insuperable obstacle to political equality. The sense that compared with racial or caste differences a common citizenship is of slight importance haunts modern India, and is the main reason for the frequency of political deadlock. The conception of political equality is peculiarly European in origin, and does not transplant easily into non-European lands; as witness the extent to which the caste and religious differences in India, the colour bar in the United States and the Union of South Africa, and anti-Japanese feeling in America and Australia, have dominated the policies and politics of these countries. It is rash—especially in the machinery and projects of the United Nations—to assume that the principle of political equality is anything like universally accepted; or, even where it is formally accepted, that it will be normally acted upon. Anti-Semitism as preached and practised in Hitler's

Germany and in his 'New Order' was but one aspect of a non-democratic and anti-democratic spirit which manifests itself, in most countries of the world, in the shape of attacks on political equality. Democracy is spoken of as if it were a form of government and a theory of politics which have often been tried and found wanting. It is rather—even in its elementary political forms—a system of government which has been found too difficult and exacting in the presence of customs and prejudices, and has very seldom been tried. Many American States, clinging to poll-tax, literacy tests and even violence to contract the electorate, have not yet even tried it.

The French have, perhaps more than other nations, persistently tried to apply the principles of political democracy even to colonial and non-European territories. The three provinces of Algeria were for long organised and administered as part of metropolitan France, and have in 1947 been given a new and broader constitution. Elsewhere the policy of 'assimilation' was attempted in the hope of turning Africans into good Frenchmen. It was only a modified success. Even so, the principle of giving all parts of the French Empire direct representation in Paris has been preserved and extended in the Fourth Republic. Overseas territories have larger representation than before in the Assembly, even larger repre-

sentation in the Council of the Republic, and half the seats in the organs of the 'French Union'. But even in France mathematical equality has been ruled out, for the simple reason that in the empire which Marshal Lyautey called 'a nation of a hundred million souls', metropolitan France with its bare forty millions would be heavily outnumbered. So long as advanced and backward peoples are linked within one political system strict political equality will be modified in practice. Universal suffrage within European countries became possible only with the spread of education, better social conditions, and the levelling up of the general standard of life. Political democracy and social improvement move together step by step, and neither can leap far ahead of the other without incurring risk of breakdown in both.

Economic, social and educational progress must proceed much further in most colonial territories before universal suffrage and other elements of political democracy can be attained. These facts are no excuse for perpetuating the backwardness of colonial peoples, but the contrary. What is needed is the co-ordinated development of colonial administration and politics in the direction of greater political democracy and social improvement. The direction has been laid down and agreed in the 'trusteeship' chapters of the United Nations

Charter.* They imply temporary political inequality with the object of ultimate political equality, and their aim is to bridge the gulf between imperialism and democracy. What matters now is the sincerity, skill and determination with which colonial powers guide their administrations in this direction.

* For further discussion of the international and colonial implications of equality see Chap. VI below, and three other books in the Current Problems series: Sir Ernest Barker, *The Ideas and Ideals of the British Empire* (1941); Eric A. Walker, *Colonies* (1944); C. E. Carrington, *An Exposition of Empire* (1947).

Chapter V

ECONOMIC EQUALITY

The democratic state, as we know it in western Europe, the United States and the British Dominions, is one in which, by a system of legally guaranteed and politically protected rights, the individual citizen can in large measure be assured of equal consideration before the law, of freedom of worship and education, of political power to discuss freely and vote freely. By these familiar systems of rights the democratic ideals of liberty and equality can be harmonised and on the whole satisfied. We know how to achieve these things—though often enough they are attacked, sometimes they are violated, and still greater inventiveness is occasionally called for before they can be maintained in modern conditions. Most people know well enough what these aspects of equality mean, and it is usually perfectly easy to ascertain when equality of this kind is seriously infringed. It is quite another matter with economic equality. Many who would stoutly defend with their dying breath the rights of liberty and equality described above (as would many English or American liberals) shrink back with horror from the notion of economic egalitarianism. There is no more funda-

mental task, in any modern discussion of equality, than to discover why the ideal of equality, so generally accepted in the legal, religious and political arrangements of the modern democratic state, is still so stoutly resisted in its applications to economic life. Here is the very crux of our whole argument.

First, what light has our present analysis thrown so far on the problem? The ideal of equality, as generated by the Stoic philosophers, the Roman lawyers, and the eighteenth-century rationalists, was rooted in a system of law; it was closely connected with the idea of natural law and later with the common law; and it found modern expression within the *milieu* of the territorial nation-states of western Europe and the United States. It was throughout a question of individual rights, and the method of securing these rights was legal reform and political action. It was a matter of judicial procedure (trial by peers) extended to other social classes; of representation in parliament extended until it included all adult citizens; of the removal, in short, of disabilities hitherto imposed by law or by political organisation. Even religious toleration, made necessary by the divisions of Christendom after the Reformation and demanded as a right by men like John Locke and Tom Paine, could be achieved, once the need was

generally recognised, by a new set of legal and political arrangements. In England the toleration granted to Protestant Dissenters was extended to Jews, Roman Catholics, and eventually to non-believers; and again it was largely a matter of removing old disabilities. Once public opinion was ready for these changes, it was simple enough to effect the changes because it was largely a matter of repealing old laws, destroying old privileges, amending former customs. But inequality of wealth appears as an inequality different in origin and different in kind from these inequalities. If, like them, it is man-made, it is so in a different sense; and until a couple of centuries ago, few people believed poverty to be man-made in any sense other than that it might be due to laziness.

Hannah More is regarded, rightly, as one of the most enlightened, humanitarian and progressive minds of the late eighteenth century. But when in 1801 there was a famine in the west country and the poor were starving, Miss More spoke like this to the poor women of Shipham:

> Yet, let me remind you that probably that very scarcity has been permitted by an all-wise and gracious Providence to unite all ranks of people together, to show the poor how immediately they are dependent upon the rich, and to show both rich and poor that they are all dependent on Himself. It has also enabled you to see more clearly the advantages you derive

from the government and constitution of this country —to observe the benefits flowing from the distinction of rank and fortune, which has enabled the high so liberally to assist the low; for I leave you to judge what would have been the state of the poor of this country in this long, distressing scarcity had it not been for your superiors. I wish you to understand also that you are not the only sufferers. You have indeed borne your share, and a very heavy one it has been in the late difficulties; but it has fallen in some degree on all ranks, nor would the gentry have been able to afford such large supplies to the distresses of the poor, had they not denied themselves, for your sakes, many indulgences to which their fortune at other times entitles them. We trust the poor in general, especially those that are well instructed, have received what has been done for them as a matter of favour, not of right—if so, the same kindness will, I doubt not, always be extended to them, whenever it shall please God so to afflict the land.*

This speech—with its complete acceptance of permanent difference of status and rights between rich and poor, its implicit faith that 'God made them high and lowly, and ordered their estate'—could not be made to-day by the most reactionary of ultra-conservative speakers. Yet Hannah More, let it be repeated, was in ways of thought far in advance of her time. Such is the measure of how much social opinion has fundamentally changed

* Quoted by J. L. and B. Hammond, *The Town Labourer, 1760–1832* (1918), p. 229.

during the last century and a half. What seems merely sanctimonious hypocrisy and outrageous snobbery to-day was not merely unquestioned a few generations ago, but was cherished by advanced thinkers who nursed a genuine passion to better the lot of the poor.

The ideal of economic equality could scarcely become an operative ideal in democratic society until the belief spread that extreme inequality of wealth (especially poverty) is man-made, and also that it is a matter of communal and not merely individual concern; for only then could it be plausibly argued that what man had made he could also destroy. It is in this sense that Rousseau is the real father of modern socialism. His insistence that man, by nature good and by nature free, is in chains forged by bad social arrangements, is the foundation of the modern faith in social reform.* In his *Discourse on the Origin of Inequality* (1754), Rousseau reaches this revolutionary conclusion:

> It follows from this survey that, as there is hardly any inequality in the state of nature, all the inequality that now prevails owes its strength and growth to the development of our faculties and the advance of the human mind, and becomes at last permanent and legitimate by the establishment of property and laws.

* The normal eighteenth-century attitude to the relief of distress of all kinds, including poverty, has been admirably described by S. T. McCloy, *Government Assistance in Eighteenth-Century France* (1946).

Secondly, it follows that moral inequality, authorised by positive law alone, clashes with natural right, whenever it is not proportionate to physical inequality; a distinction which sufficiently determines what we ought to think of that species of inequality which prevails in all civilised countries; since it is plainly contrary to the law of nature, however defined, that children should command old men, fools wise men, and that the privileged few should gorge themselves with superfluities, while the starving multitude are in want of the bare necessities of life.

The revolutionary dynamic of Marxism derives largely from its coherent philosophy of *why* extremes of wealth and poverty are man-made and *how* they can be destroyed by an overhaul of the economic and social order. Resting on Marx's analysis of industrialism and modern capitalism, and on the labour theory of value, it presented all concerned about the social ills of industrialism with a ready-made, plausible creed of both economics and politics. But Marx had been preceded by many thinkers, both English and French, who had seized more simply on Rousseau's conception of poverty as man-made and therefore humanly remediable. Perhaps the most significant of these was 'Gracchus' Babeuf.

Babeuf was the first Frenchman to proclaim and to attempt as a practical programme the establishment of economic equality. In 1796 he became the focus of the famous 'Conspiracy for

Equality' (*Conspiration des Égaux*) which bequeathed a powerful legend to French republicans of modern times.* Within a few years of the taking of the Bastille in 1789, a class of 'new rich' was already well entrenched in power in France, and their shield and guardian was the Directory. While the crash of the *assignats* had caused a great social upheaval, the so-called 'national lands' appropriated from the aristocracy and the church had found their way into the hands of relatively few. Typical of the new rich was the Director Barras, paying abundant lip service to the original revolutionary slogans of Liberty, Equality, Fraternity, but busy feathering his own nest and grasping tenaciously at political power.

It was at this stage of the French Revolution that Babeuf, Darthé, Maréchal, Buonarroti and their fellow-plotters began to demand a 'second revolution' which would complete and consolidate the first. Without social and economic equality, they argued, the civil and political achievements of the first French Revolution were fast becoming nullified. As they put it in their *Manifesto*:

The French Revolution is only the forerunner of a much greater, much more solemn, revolution which

* Cf. the present author's study of *The Babeuf Plot: The Making of a Republican Legend* (1947) for the story of the conspiracy and further details of the importance of 'Babouvism' in later French thought.

will be the last....Begone, hideous distinctions of rich and poor, of masters and servants, of governing and governed....In the cry of equality, let the forces of justice and happiness organise themselves. The moment has come to found the Republic of Equals, that great hospice open to all men.

Having lived through the great age of French constitution-mongering, Babeuf and his friends clung to the belief that just one more political revolution, if directed to the supreme goal of economic equality, would complete the whole revolutionary process and herald the millennium. Their plan of action was first, to carry out a successful insurrection and destroy the Directory. Then they would proclaim 'a great national community of wealth'. This would include all existing public buildings and national property; all property surrendered voluntarily by patriotic individuals; all property sequestered from those who had been enriching themselves in the public services; all land left uncultivated by its owners. Men would become full citizens of the new Republic only when they had voluntarily surrendered all their wealth to the community; save that the poor, the aged and the destitute would automatically become full citizens. Inheritance was to be immediately abolished, and all property would thus revert to the community anyhow on the death of the existing owners. Meanwhile,

those who clung to their possessions would be debarred from civil or military office and from full citizen rights, and would be subjected to taxation which would be doubled annually until they were levelled down to a par with the rest of the community. The national community would at once guarantee to all its full members an equal and adequate livelihood; in return, every citizen would pledge himself to perform all labour of which he was capable in agriculture or industry.

Throughout this programme, exaggerated, enflamed and over-simplified though it was, and through all the writings of the Babouvists, ran the constant simple faith that inequality of wealth is the product entirely of a bad social and political order; that by methods of confiscation, taxation, and collectivisation such inequality can be remedied; that it is the duty of the community to provide and maintain a minimum standard of wealth and welfare for all its members, and to organise the labour of each for the common good of all. Thus was the ideal of economic equality first crudely asserted in modern times. The Babouvists were hastily suppressed, and the Revolution was guided back by Bonaparte on to the path of economic inequality. The legend that was launched by the Plot, the trial of the conspirators, and the martyrdom of Babeuf, lived on in France, execrated by all conservatives

and fostered, if often in distorted shape, by radicals, socialists and communists.

But at the same time, with the rapid spread of industrialism in western Europe and America, the social problem of extreme poverty became increasingly urgent. In an age of recurrent economic depressions and slumps, pauperism occurred on a scale too massive to be ignored. And when, through adaptation of old methods of poor relief, through social insurance and legislation controlling conditions of labour, housing and public health, governments did tackle the problem, they found themselves inevitably adopting principles of graded taxation, heavy death duties, a minimum wage and minimum subsistence level. Collective action to redistribute wealth within the community crept in by the back door, while collectivisation as a creed was being vehemently repudiated and denounced.

Every great modern democracy, even when repudiating the ideal of economic equality, has laboured to reduce the greatest of economic inequalities. It has imitated Robin Hood, and robbed the rich to feed the poor; and the extreme limits between which riches and poverty can range have been increasingly contracted at both ends of the scale. Nor, in Britain or the United States, has this contraction been entirely or even mainly the work of socialists, still less of communists.

It has been the work of conservatives and liberals and socialists alike; and it was a liberal, Lord Beveridge, who produced the most complete plan for social security so far introduced outside Soviet Russia. The process can thus legitimately be called 'Babouvist' rather than 'Marxist', because it is the result of seeking to extend the democratic principles of individual liberty and equality from the realm of law, politics and religion into the realm of social and economic life. It has usually, indeed, been condemned by Marxists as a diversion of proletarian revolutionary movements away from the true path of revolution; a delusive softening and a treacherous undermining of working-class desire to overthrow the existing capitalist order.

In this development of social services democrats have seen a natural and logical extension of the system of legal and political rights already achieved. They have been able to disregard the ultimate philosophical issue as to whether all forms of social and economic inequality are man-made and so removable, and have concentrated on at least those forms of extreme poverty and distress which clearly are preventable. Up to this point, in a practical and pragmatic way, conservatives, liberals and socialists have been able to agree upon and establish, through political action, a system of rights which entitle the individual to a minimum standard of social security, if not quite 'from the

cradle to the grave', at least for most of the important crises he is likely to experience on that journey. But perhaps they are reaching the end of this phase?

This possibility was opened up in Britain by the discussions which centred around the policy of 'full employment'. In 1944 Lord Beveridge published, as a sequel to his famous report on Social Insurance, his work on *Full Employment in a Free Society*, and in the same year the Coalition Government published its White Paper on *Employment Policy*.* It was hailed by Lord Beveridge as 'epoch-marking', but criticised by him in these words:

> The Government in the White Paper treat private ownership of the means of production as fundamental; my Report treats it as a device to be judged by its results....Experience of war has shown that it is possible to have a human society in which every man has value and the opportunity for service, when the motive power and direction of economic activity are given not by private interest but by collective determined pursuit of a common good.†

As he pointed out, the conservative conception of full employment and the liberal-socialist concep-

* Cmd. 6527.

† Op. cit. pp. 273-4. For further discussion of these proposals see D. Caradog Jones *et al.*, *Full Employment and State Control* (1945); A. G. B. Fisher, *International Implications of Full Employment in Great Britain* (1946).

tion represented 'differences of social philosophy'. These fundamental divergences, deeply affecting both the ideal of full employment and the means of pursuing it, became clearer in the public discussions which ensued and in the events of 1947. One example must suffice here—the problem of incentives both to work and to the mobility of labour. After experience of the epidemic of 'unofficial strikes' which the Labour Government and the trade unions were unable to prevent even during the height of Britain's great economic crisis, Mr Ernest Bevin had to defend, before the T.U.C. at Southport, the policy of direction of labour. He argued that since the threat and use of mass unemployment as an impetus to the mobility of labour had now been rejected by public opinion when it endorsed a policy of full employment, it must be replaced by the administrative direction of labour. In a situation where the old paradox of 'poverty amid plenty' seemed in imminent danger of being replaced by the even worse condition of poverty amid scarcity, Mr Bevin had to pose the alternatives of 'Production or Starvation'. The ideals of economic equality—even in the moderate form of securing jobs for all according to their capacity—came into conflict with principles of economic freedom. As so often happens in a period of rapid transition and social adjustment, the ideals of liberty and equality

seemed to be working at cross-purposes; and this conflict cut across the normal industrial differences between employers and employed. On one side, which included large sections of organised labour, it was argued that governmental direction of labour destroys the time-honoured right of the worker to choose his employment where he would, and meant a move towards totalitarian planning. On the other it was retorted that the worker is not free, in conditions of mass unemployment, to choose his employment; that he would in fact be freer to do so in conditions of full employment; and that power to direct labour is an essential means to the end of full employment, which rests on the planned use of all national resources, including labour. Is it not simply that new rights demand new obligations?

It is significant that in the expansive days of the nineteenth century the slogan which contrived to reconcile the ideals of liberty and equality was 'equality of opportunity'. Whether used by Napoleon in France (*la carrière ouverte aux talents*) or by radicals in England or by individualists in America ('from log cabin to White House') it meant in effect freedom of enterprise, untrammelled competition, liberty to use one's abilities to become economically and socially unequal. But in the less expansive days of the present century, after two world wars and experience of vast

economic depression, the slogan which has replaced the old is 'equality of sacrifice'. The principle on which Britain's rationing system and her scheme of demobilisation were based was confessedly that of 'equality of sacrifice'; 'a fair share for all', 'first in first out', and so on. President Roosevelt even enunciated the principle as applicable between the leading members of the United Nations, though this was fast lost sight of after his death.* Equality was in the nineteenth century largely a matter of rights; it has now become also a matter of duties, and has acquired a less individualistic and a more collectivist tinge in the process.

The extension of social services provided for each citizen 'according to need' has become interconnected, in one important topical respect, with the old principle of 'to each according to his work'. Although at first sight the two principles of distribution appear mutually incompatible, they may not be so in their practical applications. The best recent illustration of this truth is the debate over the thorny question of 'equal pay' for men and women. Lower rates of pay for women have usually been justified, albeit somewhat shakily in logic, on the grounds that a man normally has a wife and family to keep—a home to maintain—

* Cf. the correspondence in *The Times* of 23 and 28 August 1947.

whereas a woman normally has only herself to keep. Apart from the fact that many women have dependants of other kinds, the ground has been cut away from this argument by the national system of children's allowances and income-tax remissions for dependants, at the very time when Britain's general shortage of man-power has made it desirable to attract as many women as possible into industry. In October 1946, a Royal Commission on Equal Pay issued its report.* It examined in great detail the reasons and alleged reasons for unequal pay in the past, and the implications and probable consequences of equalising pay in the future. The majority of the Commission, on balance, was unfavourable to the general introduction of equal pay, but a minority group of three of the women members of the Commission issued a powerfully argued 'memorandum of dissent', which stated cogently the case for completely equal rates of pay. Repudiating the 'theoretical reasoning of the majority according to which the lower wages of women are sufficient evidence of lower efficiency', they declared:

At any moment there is strong resistance to allowing women into any occupation which they have not already entered. This resistance is an expression of that fear of competition which runs through all

* Cmd. 6937.

economic life, often to be found thinly concealed by the most far-fetched rationalisations. It is without doubt largely, though not entirely, due to the fear of unemployment, and it is enhanced by the very fact that women's wages are lower than those of men.... Our own view of the consequences of introducing the rate for the job is different, because we do not accept the premise that, in modern conditions, existing wage differentials reflect efficiency differentials over industry as a whole. In our view unequal pay is an important element in maintaining unequal opportunity. Both from the point of view of individual liberty and satisfaction and from the point of view of national productivity, it is desirable to break down artificial barriers and to permit each individual to find, as far as circumstances allow, the use for which his talents best suit him.

As the last sentence of this quotation shows, the leading advocates of equal pay regard it as not only compatible with but positively complementary to the individual's right of liberty. Although the exact methods and the exact timing of introducing a general policy of equal pay may be disputable, and it may convincingly be argued (as indeed the minority memorandum partly admitted) that to increase spending power at all in the conditions of Britain in 1947 might do more harm by encouraging inflation than it would do good by remedying injustices, yet it is difficult to rebut the gist of the minority memorandum. In so far as

a system of children's allowances, both national and occupational, becomes normal, to differentiate in wages according to need becomes unnecessary; and to pretend that differentiation is based on differences of efficiency is unconvincing. Nor does experience of equal-pay arrangements in other countries suggest that they work badly or produce ill effects.

A kindred but even more complex question than that of 'the rate for the job' is equality of opportunity of promotion. As the Royal Commission point out, convention, habits of thought and prejudice are obstacles as important as any in the way of establishing real equality of pay for women. Even more so, and probably with more plausibility, are they obstacles to opening every level of every career equally to women and to men. Even some countries (e.g. certain States in the United States, or France) which have established absolute equality of pay at certain lower levels of employment, continue to shut women out completely from the higher levels of employment in certain services and industries. Male objection to being bossed by a woman, widespread prejudice against the capacity of women to 'hold down' the highest offices, the greater pertinacity of men than women in pursuing a career, all tend to keep the top levels closed to women. Thus Britain has so far known women barristers and women magistrates, but

not a woman judge; women cabinet ministers, members of parliament and town councillors, but not a woman Prime Minister; only in recent years have the Universities of Oxford and Cambridge known women professors, and at the highest levels of business executives and industrial management women are a great rarity. Explanation of this need not be sought in any theory of inherent inferiority, but rather in the smaller proportion of women than men in most careers, and the still smaller proportion who spend their whole lives in their career; in the forces of convention and popular sentiment; and in the common tendency to prefer a man to a woman in the highest levels of command and authority.

In the matter of social equality of the sexes, as in that of providing 'social security for all', the difference between equality conceived as absolute similarity and equality conceived as a matter of individual rights becomes of topical importance. Distribution of wealth or services 'according to needs' does not imply that all needs are equal. It implies that 'needs' are peculiar, personal and often temporary. The adolescent child, the nursing mother, the aged and infirm, the sick or unemployed worker—each has peculiar and personal needs which it has come to be the recognised duty of the community to help them to meet. The social-service state rests on the principle of equality

in the sense that *all* adolescent children, nursing mothers, and so on, have equal rights to receive the best attention and service that can be made available, regardless of their wealth or social status or efficiency as workers or potential workers; and likewise the justice of the demand for 'equal pay' lies in the principle that *all* persons deemed worthy of employment in a particular kind of job should receive the pay appropriate to the work that job entails, regardless of their sex, or age, or other personal necessities. In short, equality of pay in the sense of 'the rate for the job' becomes possible precisely because differentiation according to need is achieved by means other than the wage-packet—by children's allowances, by remission of income-tax, by the provision of appropriate social services. The two aspects of equality are complementary, and both are a matter of individual rights. Being a matter of individual rights, they are attainable by the appropriate series of legislative measures, social arrangements, and economic provisions. They differ from rights of equality previously achieved in the sphere of religion and politics, because they call for a more far-reaching reformation of social and economic life: but the difference is one of degree and not of kind.

Economic equality in a rigid and absolute sense —'equality of income' as it is often called—is something utterly different. Few, indeed, are the

advocates of such equality. The most distinguished in England, since the days of Gerard Winstanley and the Diggers of St George's Hill, is an Irishman—Mr George Bernard Shaw—who is more 'Babouvist' than most Fabians. He continues to urge, with his usual wit and perversity, the distribution of the total wealth of the community in roughly equal mathematical proportions among its individual members.

The statesman aiming at equal distribution of income will find that he must fix a wage figure at which no talent or genius can be wasted through the lack of the means for its fullest cultivation. As this figure will at first exceed that arrived at by dividing the total national income by the number of people in the country, he must maintain the incomes of the bureaucracy and the professions at the fixed figure as a first charge on the national income. The rest he must distribute as best he can with equality of income as his goal, using every device to increase the national income and using the increase to level up the lowest wage to the grade above it until all the grades are levelled up to the fixed figure, and equality of income attained, virtually if not mathematically.*

This advocacy of extreme economic equality does not prevent Mr Shaw from lamenting loudly the proportion of his own income which the Chancellor of the Exchequer annually collects.

* *Everybody's Political What's What* (1944), p. 56.

The ideal of economic equality, like that of political and social equality, is a matter of approximation and not of absolutes. Just as attempts to ensure that all citizens shall count equally in politics by schemes of compulsory voting or proportional representation seldom work satisfactorily, and just as enthusiasts for formal 'republican' social equality have so often failed to secure the reality of their pretensions, so it is virtually certain that schemes of rigid economic equality would fail. Certainly they have not been tried by any of the socialist or communist governments of the modern world. Even amid the conditions produced by a policy of 'full employment', 'social security' and 'equal pay', however successful this policy may be, it remains supremely important to leave a large field of opportunity for additional earnings in the form of part-time work, leisure employment, overtime, and free-lance occupations. When the basic equality that comes from the appropriate satisfaction of necessities is achieved, such activities become even more important, greater opportunities for them should exist, and both the size of the national income and the quality of social and cultural life should be enhanced by them. In this way it remains possible for the individual rights of equality and liberty to be reconciled and jointly enjoyed.

Certainly provision of basic necessities seems fully in accord with Christian principles:

> Neither was there any among them that lacked; for as many as were possessors of lands or houses sold them, and brought the prices of the things that were sold, and laid them down at the apostles' feet: and distribution was made unto every man according as he had need.*

This discussion of economic equality has so far, in tune with the main trend of events and movements to-day, been conducted on the assumption that in modern society most wealth will be socially produced, and much of it, in the form of social services and national or local public amenities, will also be socially controlled and distributed. Further light may, however, be thrown on the problems of economic equality if we turn from what has here been called the 'Babouvist' tradition of equality to an older and still extremely important school of thought which in the twentieth century came to be known as 'distributivism'.

The old French dream of social equality combined with highly individualistic economic independence, which occurred naturally in village communities of small peasant cultivators, rested on distribution of the land into family units, so

* Acts iv, 34–5.

that there might be 'a chicken in every pot' and 'three acres and a cow' for everyone. This dream —a serious rival to the Babouvist tradition of collectivist equality—has become more and more unreal in a country where big-scale industrial capitalism and high finance have struck deep roots. It means very little to the town-dwelling factory hand. It is a dream which the Revolution largely satisfied, and which even Napoleon had to respect. But his substitute for it—*la carrière ouverte aux talents*—introduced a further force of instability and 'careerism' which was incompatible with the established society of peasant proprietors visualised by the early French radicals. The peasant's son who goes off into the army or joins the ranks of the state's *fonctionnaires* is not content, in fact, to return to the three acres and the cow and the hard drudgery which they symbolise.

The people of the United States, for quite different historical reasons, have been haunted by the same distributivist dream. The dream of social equality that existed naturally in a community of frontiersmen, and which depended on the absence of a traditional and established social hierarchy, remains an operative factor in American public opinion. Millions who have never known the old frontier and who would hate it if they had, still pay homage to the traditional virtues of the pioneer's way of life.

> People could get farms for a price not beyond reach of any thrifty person....They could easily get the tools to work it. Then, as Horace Greeley said, they could 'grow up with the country'. This equality of economic opportunity bred a sense of social and political equality, and gave natural leaders a chance to come quickly to the front.*

De Tocqueville, writing in 1835 on *Democracy in America*, saw the 'general equality of conditions' as the basis of it. But these conditions ended with the century. And the modern American egalitarian is confronted with a very serious challenge to his dream. Mr J. B. Priestley has put it like this:

> His very slang gives him away. He does not want to stick his neck out, he wants to go along with the gang, he wants to be a regular fellow. These do not suggest a passionate concern about liberty, but they do suggest that equality is all-important. A regular fellow is equal to other regular fellows. The dream is tethered, a huge dim captive balloon, to that historic phrase about men being created equal. But this is not the eighteenth century, and the United States no longer consists of struggling rural communities sending pioneers into a vast wilderness. You cannot go West any more to find the real America in its early purity. The frontier has gone....And this, of course, is the American dilemma....At present the reality contradicts the dream.†

* A. Nevins and H. S. Commager, *America: The Story of a Free People* (1943), p. 165.

† J. B. Priestley, *The Secret Dream* (1946), pp. 24f.

In the United States, as in France, democracy and republicanism were originally defined in terms of what they were fighting against. They were against legal and social privilege, against monarchy and aristocracy, as the old regime had known these things. Therefore they were for social equality, equality of opportunity, the religious, political and economic freedom of the individual. These ideals, in their old context, remained deeply imprinted on men's minds even when the industrial revolution, which followed hard on the footsteps of the American and French Revolutions, created quite new conditions which called for radical rethinking of democratic ideas. In America, especially, democracy became that 'tadpole' form of democracy, in which the stronger devours the weaker; equality of opportunity came to mean free scope for opportunism and cut-throat competition in which the weakest goes to the wall. The old aristocracy of heredity was replaced by a new oligarchy of wealth, but because the forms of republicanism were respected, the old dream was satisfied for a time; and republic-loving Americans, rejoicing in the abolition of monarchy, peerage and all the trappings of old and formal social inequality, for a time deluded themselves into believing that the grossest economic inequality had nothing to do with the case. The same thing, though less spectacularly, happened in Britain and France.

It is impressive that the distributivist ideal has remained so active in American life, even when the normal and actual structure of her economic life has changed so much. The period of the 'New Deal' brought a transformation in American methods of dealing with social problems, but it did not kill the spirit of economic individualism. Professor Mitrany has described this transformation:

> Mr Hoover, the last Republican President before the *débâcle*, looked to those who had done well and, with a new version of the French King's 'a chicken in every pot', held out the prospect of 'two cars in every garage'. The slogan was part of the social optimism which had been characteristic of American outlook. But only a few years later a vicious depression exposed that delusion, and so in 1932 the Democratic candidate, Franklin Roosevelt, turned to those who had been left by the way in America's continuous gold rush and pledged himself to the 'forgotten man'.... The easy optimism of rugged individualism changed overnight into a bewildered anxiety. It was the collapse of a whole moral world. The masses who until then had wanted opportunity and elbow-room now craved protection and security....The whole philosophy and policy of the New Deal had its springs in that psychological transformation.*

After two years of attempted economic recovery through reduced hours and output and judicious

* David Mitrany, *American Interpretations* (1946), pp. 2f.

pump-priming, between 1933 and 1935, the New Deal entered into a phase of more positive governmental action and control. By promoting conservation of natural resources, regional developments such as the Tennessee Valley Authority, and schemes for 'full employment', it even entered into a phase of national planning. Measures of nationalisation and of national control went much less far than in Europe, and since the death of Roosevelt the forces of 'rugged individualism', somewhat less rugged than before, have reasserted themselves. But the New Deal has left its imprint, which the effects of the war may yet deepen.

Britain presents the obverse picture: instead of collectivism struggling painfully against a stubborn individualism in economic life, a diehard individualism struggling to survive amidst a growing collectivism. During the two decades of the 1920's and 1930's, a school of English 'distributivists' led by Mr G. K. Chesterton and Mr Hilaire Belloc, both Roman Catholics, wrote vigorously and pertinaciously against monopolies, trusts, chain-stores, state control and the rest. They championed the cause of the small farmer, the little shopkeeper, and the tiny factory. Though they wrote attractively and struck many chords in English life, they made no noticeable impact on the course of English economic development. Sir Ernest Benn and his Individualist League,

likewise active then and now, win support from certain kinds of big business because they concentrate attacks mainly against the state and not against the big trusts; but socialistic legislation has never made faster progress than in these years. The Liberal Party, or at least the most active majority of it, has left the defence of individualistic free enterprise to the Conservatives, and under the guidance of Lord Beveridge and Lord Keynes has taken part in pressing for more complete measures of social security and governmental control of prices and wages. The same story is repeated in France, where the peasant proprietors —the last ditch of distributivism—have come to support the social-democratic policy of the M.R.P., the socialists and even the communists. Whatever the moral merits of distributivism, it can be regarded as a dying cause in the modern world; and if men seek economic equality in this 'century of the common man' they will seek it through the collective provision and distribution of social services and amenities, whether these be organised by the state, municipalities, public-service corporations or voluntary associations.

Industrialism has changed the form and even the nature of property rights. Instead of physical and material possessions—'three acres and a cow' —most of the wealth that we as individuals enjoy consists in legally created and recognised rights

to certain kinds of goods and services. The family budget for the great majority of families does not consist only of the weekly wage-packet. It also includes the right to have the children educated free, the right to use expensive organisations such as the post office, the tramways, the equipment of the whole public-health service at extremely small cost, the right to protection not only against theft but also against exploitation by their employer. Because the rights of property have thus been extended, the rights of freedom and equality have been correspondingly transformed. If the natural degree of freedom and equality that comes from distributed property rights is to have any counterpart in our modern industrialised society, then it must be deliberately organised and provided. Its basis can only be the right to participate in the control and management of the organisations on which the individual's livelihood and happiness depend. He should be able to participate in political decisions through free associations and his civic liberties; in economic decisions through labour organisations, trade associations and the like. It is true that this great transformation diminishes independence; but interdependence, duly appreciated, may have no less moral value and spiritual worth than independence.

The independence that comes from small peasant proprietorship—of 'not having to work for a

boss'—has its obvious human attractions, but it can be exaggerated. Freedom from the personal tyranny of a boss is often bought at the cost of submission to the impersonal tyranny of natural calamities such as bad harvests, plagues, and harsh economic depressions; and even French peasants have never been slow to appeal in such circumstances for lavish help from the state. Interdependence is there, though it may be obscured. Abandonment of distributivist methods calls for more open acceptance of the fact of interdependence, and for assumption of the rights and duties which go with it. The new equality, like the new freedom, has to be found through appropriate political and economic organisation, and a different system of rights and duties. It is because they were not found that distributivist philosophies found adherents in the twentieth century; and they have at least served the purpose of recalling that the individual rights of freedom and equality have not only to be re-thought and re-fought each generation, but that they have to be mutually reconciled if democracy is to progress.

The basis of greater economic equality was laid when the working classes, through their trade unions, gained something like equality of bargaining power with their employers. It is a commonplace of political science that power can be offset, regulated, harnessed, only by other forms

of power. The economic power of big-scale capitalism could be offset only by the power of trade unions, in conjunction with the political power of the state. It is 'having to work for a boss' that makes it all the more necessary for both the state and the trade unions to be as democratic as they can be. The case for universal suffrage, the jealous protection of civil liberties, the direct participation of citizens, either individually or through voluntary and free associations, in the management of social affairs, was never stronger than to-day. Far from being irrelevant, futile or impotent, civil, political and legal democracy is more than ever the essential complement to efforts for the democratisation of industry.

In this connection the trade unions have a vital and direct part to play. It is insufficiently realised how great is the part which the trade unions in Britain now play in advisory, consultative and even administrative ways in the government of the country. Most important ministries now have advisory boards attached to them, on which the higher civil servants and departmental chiefs, or even the minister himself, may sit. To these boards the T.U.C. regularly nominates members, and a glance through the pages of the *T.U.C. Annual Report* gives some impression of the variety of matters on which advice is directly sought. The National Production Advisory Council, the Joint

Consultative Committee of the Ministry of Labour, the T.U.C. Advisory Committee to the Ministry of Food, the National Advisory Council for Fire Prevention, are war-time examples. It has been lamented by one Director of Education that before long directors may die of a surfeit of consultation and advice. But although methods are still often crude and clumsy, here is one direction in which ordinary citizens can impinge upon administration. The Development Councils envisaged by the Industrial Organisation and Development Act should greatly increase this opportunity.

The strength and activity of trade unions in France since liberation suggest similar developments there. 'The setting up of a true economic and social democracy' is described, in the French 'Resistance Charter' of 1944, as 'entailing the eviction of the great economic and financial feudalities', and 'the rational organisation of an economy which will assure the subordination of private interests to the general interest'. This is to be achieved along two lines: nationalisation of industry and the democratisation of industry. On the one hand there is demanded 'the return to the nation of the great monopolies in the means of production, the sources of energy, mineral wealth, insurance companies, and the large banks'. On the other hand, there is to be 'intensification of national production along lines determined by the state after

consultation with the representatives of all elements in production'; 'the development and maintenance of co-operatives for the production, buying and selling of agricultural and industrial goods'; and the 'right of access in the framework of business to the functions of management and administration for workers possessing the necessary qualifications, and participation of the workers in the direction of economic life'. Accompanying this double process, it is agreed that there should be a great extension of social services and social security, including 'a guaranteed level of wages and salaries', 'a guaranteed national purchasing-power by a policy promoting currency stability', and 'a complete plan of social security, designed to ensure for all citizens the means of subsistence in all cases where they cannot earn their own living'. To this programme not only communists and socialists, but the trade unions, Catholic Democrats and diverse resistance groups have formally adhered.

This is the drift of society to-day, not only in Britain and France but in all European countries, and in other Europe-influenced countries oversea. It presupposes, on the one hand, that the state to which such increased power of ownership, control and regulation is accorded, will itself be a more completely democratic state. The prelude to the economic proposals of the 'Resistance Charter'

is that there should be established, politically, 'the widest democracy, by the restoration of universal suffrage, complete freedom of thought, of conscience and of expression; freedom of the press... freedom of association, of meeting, of demonstration; inviolability of the home and secrecy of correspondence; respect for the human person and the absolute equality of all citizens before the law'. It presupposes, on the other hand, that even such complete political and legal democracy is not enough; that there must be direct participation of citizens in the whole management and process of production and distribution, through trade unions and co-operatives and other means, and there must be greater social security for all through the provision of social services, security of employment, and pensions. It is, in short, the logical application and extension of the traditional principles of liberty and equality, in harmony, to the whole of social life. It is no mere communistic clamour for nationalisation and collectivism; it is the authentic voice of democracy, retuned and modulated to suit present-day requirements of man in modern industrial society. For no other reason could it have found such general adherence and approval in principle.

The danger to democracy in the trade unions lies not in the amount of economic power which they wield, but in the drift towards apathy among

their members and the emergence of a new type of 'boss' within the unions themselves. The case for democratic trade unions is as strong as the case for the democratic state. The power-loving 'boss', whether in capitalist enterprise, trade union or state, is equally the enemy of individual rights of freedom and equality. But perhaps the advantage of having three great spheres of activity in which he can arise is that his power may then be limited and offset by democratic action within the other two spheres. Theodore Roosevelt, as much a 'political boss' as America has ever produced, was able to limit the bosses of capitalism by appealing to public opinion; so too John L. Lewis, the greatest 'labour boss' of modern America, can defy political and capitalist bosses by appealing to popular support. In such a triangular contest it is public opinion which in the end tends to become the arbitrator. In England, where the Labour Party in power tends automatically to augment the power of the trade union leaders, a check is provided by the necessity for every member of parliament to hold a territorial constituency and by the distinction between the parliamentary Labour Party and the T.U.C., as well as by the constitutional operations of His Majesty's Opposition. The principle of the separation of powers, though in a sense different from Montesquieu's, remains the guarantee of democratic rights.

Chapter VI

EQUALITY BETWEEN NATIONS

The problem of how far nations can be regarded as equal in status in international organisation has become an acute problem of our own time. On the one hand constant lip service has been paid, in official declarations and documents, to the idea of 'the sovereign equality' of all nation-states. The signatories of the Atlantic Charter (1941) undertook 'to further enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity'. The Moscow Declaration of 1943 recognised 'the necessity of establishing at the earliest practicable date a general international organisation, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security'. Accordingly, the Charter of the United Nations, signed in 1945, reaffirmed faith in 'the equal rights of men and women and of nations large and small', and defined the new organisation as 'based on the principle of the sovereign equality of all its members'. The principle of political and

economic equality between nations is woven into every formal foundation of the new international order.

On the other hand, there has been equally abundant homage to the substantial inequalities of nation-states. The lead throughout was taken by the so-called 'Big Three' states which played the largest part in the defeat of Germany and Japan. All the early phases of peacemaking were dominated by the major powers, with France and China being given a formal place alongside the 'Big Three' as sponsors of the new organisations. In the United Nations Security Council, as in the Council of the old League of Nations, a sharp distinction was drawn between the permanent members (the 'Big Five' mentioned) and the six non-permanent members, chosen in rota for a period of two years only. Only the permanent members have the power of 'veto' in the Council. The Military Chiefs of Staffs Committee, which is to wield any armed force put at the disposal of the Council, consists only of the Chiefs of Staff of the 'Big Five'.

Even more significant, perhaps, is the attempt in the structure of the International Monetary Fund and the International Bank for Reconstruction and Development, created at Bretton Woods, to grade all member states according to financial importance. Here even the broad distinction

between major and minor powers is abandoned in favour of the most subtle political arithmetic. Members are accorded voting strength in exact proportion to the number of 'quotas' each holds in the bank or the number of 'shares' each holds in the fund, and these holdings are determined by a scale previously fixed in the Constitution. The 'Big Five' do not have holdings of equal size; only the United States holds more than one-fifth of the total 'quotas' or 'shares' in its own hands. This is particularly significant in view of the rule that a four-fifths majority of votes is required to change any of the existing arrangements. Only the United States has a 'veto' here. All other states are finely graded in order of financial strength. The Bretton Woods organisations are the very embodiment of the principle of permanent inequality between nations.*

Here, then, is a somewhat paradoxical, and ideologically very confused, foundation for the latest experiment in international organisation. It is not a question of whether nations shall or shall not be treated as equal, but rather of how far, and for what purposes, they shall be treated as equal. In the General Assembly and in the Economic and Social Council of the United Nations, members are accorded equal status and

* For fuller discussion of these arrangements, see D. Thomson, E. Meyer and A. Briggs, *Patterns of Peacemaking* (1945), Chap. VII.

equality of voting strength. In functional bodies such as the International Labour Organisation and the Food and Agriculture Organisation the principle of equality is also respected. But in matters of major political and economic importance, such as security, military action and finance, the actual inequalities between nations are frankly, and even brutally, acknowledged.

This situation is, of course, inevitable. The League of Nations had, as its centre of political gravity, the General Assembly in which each member state had equal representation and equal voting strength, and unanimity was required for all important decisions. It was a quite unreal situation, and no major power in 1919 would have dreamed of entering into such a position without the requirement that all important decisions taken in such an Assembly should be unanimous. Otherwise a state would have found itself committed to action in which it would have to bear the main or even the sole brunt, against its approval, by the vote of a collection of small states which would be little affected by the action. Formal equality demanded unanimity-decisions; only recognised inequality could have led to majority-decisions.* It is no accident that even

* For a useful examination of this problem of voting-procedure see the article by H. R. G. Greaves on 'International Voting Procedures' in *Political Quarterly*, October 1947.

now, with real inequality abundantly recognised, there has been so much controversy over the exact size of majority required for decisive action, and over the stage at which the mass of smaller states should be admitted even to the comparatively late phases of peacemaking.

The truth is that the principle of equality, which can reasonably and convincingly be applied to human beings because all men are persons, cannot be simply transferred to nations or states as if they too were persons. To pay so much superstitious respect to nationalism that a nation of two hundred million souls were given an equal say in international affairs with a nation of half a million would be to violate the rights of human beings as persons. In the most democratic of communities, a minority group of one-four-hundredth of the whole would not be granted the right to block all action by the majority, or to have an equal say with the majority in decisions concerning all. It would, however, have certain fundamental rights respected by the majority. And that is the true analogy, which goes far to justify the kind of arrangement (though not the details of the arrangement) reached at Bretton Woods. Were the votes which a state can register in general political decisions to be weighted roughly according to the size of population, the normal democratic principle could be made to apply, and would hold good.

But in international affairs other considerations than mere size of population weigh in the balance. The main ponderable is power: which is compounded of such factors as wealth of natural resources, industrial strength and potential, scientific knowledge, economic strength and military might, as well as the amount of 'man-power' available. China and India each have a population equivalent to the populations of Russia and the United States added together; that does not make either China or India count for more, in any sense, than either Russia or the United States separately. Again, a man is individual because he is quite literally indivisible. He is a unitary entity, and if he be divided he dies. A nation or a state is not thus indivisible, and any fiction that it is merely builds on falsehood. To treat one nation as necessarily equal to another is to presuppose a degree of internal unity and unanimity which never exists—even in the most highly centralised and totalitarian of states. These obvious and indeed platitudinous remarks are necessary because so much discussion of international affairs proceeds on fictions. The only logic of the situation is that democratic principles of liberty, equality and majority-decisions are in no way directly transferable and applicable to nations or states. In so far as they can be applied at all to international affairs, it can only be by way of analogy and metaphor. In this sense,

and within these provisos, they may, however, be usefully applied.

The clearest application is to disputes between states which can be settled by negotiation or by arbitration. Equality before the law, just as it was historically the original basis for other forms of personal equality of rights, is generally recognised as the only possible basis for negotiation and arbitration between states, if principles of justice are to apply at all. On this assumption public international law has been built up and the Permanent Court of International Justice has functioned. When two states agree to negotiate over a dispute, or to submit a dispute to arbitration of a third party or of a court, they mutually (if tacitly) agree that differences of power between them shall be excluded from the case. Were inequality of power regarded as relevant, they could fight it out and the stronger would impose its will; by rejecting this course, they agree to eliminate inequality of power from the dispute. Therefore they can be, and are, treated juridically as equal. This, of course, is precisely why no dispute in which either party regards inequality of power as a vitally relevant factor will be submitted to an international court.

The problem of whether this conception of legal equality can be extended, as it was historically extended for individuals, to include general

acknowledgement of political equality between states, depends on how far inequality of power may come to be commonly treated as irrelevant to political matters such as national independence, security and defence. In what circumstances, if any, would inequality of power be regarded as irrelevant to national independence? The first, and clearest instance, is where experience has taught men that the goal of independence is unattainable; as in the organisation of common public services, such as the postal system, which must be organised internationally or not at all. If each nation asserted absolute independence, there simply could not be any international post. Since this would be a serious and burdensome inconvenience to all, co-operation for this end is accepted; and the need for joint action being once accepted, it becomes logical to treat all nations participating in postal conventions as for this purpose equal in their obligations to provide facilities, and equal in their right to receive similar services from all their neighbours. The principle of reciprocity is a great leveller; for there can be no satisfactory reciprocity between parties exulting in their inequality.

The pooling of information and the search for generally agreed standards of labour conditions, health and sanitation, such as was undertaken by the International Labour Organisation, is another

kindred case. Not only were the states members of the I.L.O. inevitably treated as broadly equal for its purposes, but the representatives of employers and workers from each nation were also treated as broadly equal one with another. The quest for generally improved (and approved) standards of living was itself a levelling ideal. It was not, of course, appreciably attained. The I.L.O. was always, like the League, essentially voluntarist in principle; it had no powers of coercion or compulsion, and depended for its success not only on the willing participation of individual states, but also on their readiness to adopt such standards once they had been recommended. In fact, relatively few such resolutions and recommendations were widely adopted.

It was with some hope, however, that many looked to the crop of new international functional agencies, set up by the United Nations in 1943–5, to provide a new basis of free and equal international co-operation. Through a network of such agencies, set up for each major object of co-operation, the fabric of a more real international society might be slowly created.* Neither the degree of success with which these agencies worked, nor the spirit in which their activities were received by the weary and somewhat xenophobic nations

* See especially David Mitrany, *A Working Peace System* (1943).

of the post-war years, gave much encouragement to these early hopes; nor did the internal structure of some of the agencies themselves—especially the Bretton Woods institutions already mentioned. Yet here, indeed, is one of the main avenues along which the idea of equality between nations could develop. If it was left but little explored, it was because national independence and 'sovereignty' impeded progress; again, the ideals of liberty and equality came into conflict, and equality was sacrificed to liberty.

Likewise, in so far as the problem of military security—the 'keeping of the peace'—remains the major problem of international relations, the concept of equality between nations must be regarded as irrelevant. The provision of armed security directly involves inequality of power. Only the big powers can keep the peace; and, in the sense of producing a world war, only the big powers can break the peace. This is the central dilemma of the Security Council and of the present situation. The potential peacemaker and the potential peacebreaker are identical: it is like Mr Chesterton's fantasy of *The Man who was Thursday*.

How far, or in what ways, the discovery of atomic power may intensify or may solve this dilemma, it is still impossible to say. On balance, it would seem to intensify the deadlock. If only very highly industrialised states can produce the

atom bomb, and if the use of atomic energy for peaceful purposes can be fairly sharply differentiated from its use for war, then the few big powers become still more disproportionately powerful than the rest. In the long run, the greater industrialisation of even small states, poor in other sources of power and energy, may well promote greater equality. Atom-bombs may become easy to produce or to buy. A world of many states, vastly unequal in population and in level of civilisation, yet all equally armed with atomic bombs, is a nightmare: but even then it may be assumed that the huge industrial powers will still be, in other respects, so far ahead of the rest in scientific knowledge and resources of material that their hegemony will remain. It is beyond the scope and compass of this booklet to embark on the far-reaching issues thus raised. But the central problem confronting the nations remains, as in internal affairs, less a choice between separate independence or 'freedom' and organised interdependence or 'equality': rather it is the problem of how much they will agree to reconcile independence with interdependence, liberty with equality. The more they successfully co-operate in common tasks to promote common interests, the more they will find themselves committed to treating one another as equals, with equal rights and reciprocal obligations: in short, the more each

will receive 'equality of consideration', which has always been the essence of justice and equity, domestic or international.

But the concept of 'national sovereignty', as traditionally interpreted, is an absolute; and as in other ways, absolute freedom precludes equality as much as absolute equality would preclude freedom. Liberty and equality are coefficients, whether applied to national units or to individual persons. Recent efforts to reconcile them internationally have taken two main forms: either cultural and local freedom is differentiated from political freedom, as within the federal structure of the U.S.S.R.; or the application of notions of liberty and equality to nations is denied all validity, as in the writings of Professor E. H. Carr. Each of these standpoints may be briefly examined.

The Soviet Constitution of 1936 (Articles 13–21) lays down that the Socialist Soviet Republics have 'equal rights'; that 'every Union Republic has its own constitution, which takes into account the specific features of the republic'; and even that 'each Union republic retains its right freely to secede from the U.S.S.R.'. National homogeneity and cultural diversity are even encouraged by Union policy, because such variegation is regarded as harmless and even beneficial within the general framework of communist economy and the federal

Soviet system.* In this way cultural freedom and national sentiment have been divorced from the power that is necessary for national defence; that is ensured by the Union as a whole. So divorced, the freedom and equality of the component national units can be reconciled, though both have to be limited in order to be reconciled. However sceptical one may be as regards the reality of the external freedom allowed to the constituent republics, it is plainly true that within the quite rigid limitations of the control exercised by the Bolshevik Party, and the Marxian ideology which it imposes, there is very wide cultural diversity and freedom; and local nationalism is regarded as the cell of wider Russian nationalism.

On the other hand, writers such as Professor Carr deny all reality to the notions of national freedom and national equality:

> Freedom for a nation has meaning in so far as it is demanded by the men and women who make up the nation and felt by them as essential to their freedom. But national freedom which opens the way, as it did in some countries between the two wars, for the consistent denial of elementary rights and liberties to large sections of the nation is little better than

* Cf. R. Schlesinger, *Federalism in Central and Eastern Europe* (1945), Part IV, for a useful discussion of these matters. The idea is implicit in the argument of an English thinker such as Professor John Macmurray (cf. his *Constructive Democracy* (1943)).

a contradiction in terms.... Like the right of freedom, the right of equality, however interpreted and conditioned, is one that can be attributed only to individuals, not to nations.... The freedom and equality which the makers of the coming peace must seek to establish is not a freedom and equality of nations, but a freedom and equality which will express themselves in the daily lives of men and women.*

Certainly, as Professor Carr points out, 'the equality of opportunity which social justice demands is an equality between human beings'. Nations and even states are divisible; individuals are not. And rights can be inherent only in indivisible entities—the rights of divisible entities such as churches and joint-stock companies are rights created by the state for the sake of legal convenience, in a way that personal rights are not. In the Constitution of the Soviet Union, as in that of the United States, the equality of rights of citizens, irrespective of nationality and race, is formally respected. Article 123 of the Soviet Constitution runs:

Equality of rights of citizens of the U.S.S.R., irrespective of their nationality or race, in all spheres of economic, state, cultural, social and political life, is an indefeasible law....

Racial and national discrimination are both formally precluded and in fact avoided, however

* E. H. Carr, *Nationalism and After* (1945), pp. 41 f.

much discrimination may be evoked by differences of ideology or political creed. It is a straw in the wind that the preamble to the Constitution of the Fourth Republic in France (1946) also declares that:

> every human being, without distinction of race, or religion or creed, has inalienable and sacred rights... men and women have equal rights before the law.... The nation guarantees equal access for children and adults to education, professional training and culture.... France guarantees to all equality of access to public service, and the individual or collective exercise of the rights and liberties proclaimed or confirmed above.

The 'Philadelphia Charter' drawn up in 1944 by the International Labour Organisation compiled a similar statement of individual rights essential to the attainment of social justice. It included the affirmation that

> all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity; the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy.*

* Cf. A. Cobban, *The Crisis of Civilization* (1941) and *National Self-Determination* (1945), for a thorough discussion of these problems, and a plea for a modern doctrine of natural rights of individuals.

This is in many respects an age of absolutes: the absolute state exalted by all totalitarian ideologies; the absolute Leader, Race, Nation or Class; absolute power, as in Belsen or Dachau, tending to corrupt absolutely; 'full employment' combined with absolute social security 'from the cradle to the grave'; even absolute destruction, through the agency of atomic power. Amid so many absolute men, creeds, organisations and ideals, it is healthy that there should be raised against them the creed of indefeasible and natural individual rights. Yet the democrat may rightly question whether the right remedy for absolutism and the claim to be 'absolved' from all trammels is a rival absolutism, even that of individual rights. Absolute freedom and equality are as unreal claims as are absolute domination or absolute security. It is always dangerous to call in one devil to drive out another. The true antithesis to absolutism is balance, just as the true antithesis to conflict is reconciliation. It is in a balance between the demands for individual freedom and social security, in a reconciliation of the ideals of liberty and equality, independence and interdependence, that a more completely democratic order may best be found.

The right reply to the exaggerated claims made on behalf of nationalism in the past is not to deny any validity to its claims in the future. Every

internationalist movement of the nineteenth and twentieth centuries, from the Comintern to the Nazi 'New Order' and from the League of Nations to the United Nations, has been largely frustrated by the force of nationalism; and it is not a spent force yet. However uncomfortable, embarrassing and obstructive a force it may be, it remains strong; and it is therefore not irrelevant to the quest for peace, welfare and security.

Nationalism exists, and shows no more signs of withering away than does the Socialist State of Leninist ideology in Russia. It therefore has to be reckoned with, and if possible tamed and harnessed to the chariots of progress and peace. In so far as men regard a degree of national pride, independence, unity and security as part of their own happiness, freedom, welfare and security, it is of very direct relevance even to the pursuit of individual rights. Modern assertions of the natural rights of the individual human being as in the 'Philadelphia Charter', and insistence that it is the well-being and happiness of men and women as persons which must remain the ultimate ends of all social, economic and political organisation and effort both national and international, are all a most healthy and timely antidote to the era of totalitarianisms. But the means to these ends probably lie through both national and international action, in order to extend and strengthen both

national and individual security, freedom and equality. As already suggested, many spheres of international co-operation can doubtless be treated as increasingly matters of administration rather than politics. The planning of transport facilities such as world shipping can fall into the same category as international postal services; even supplies of raw materials and the organisation of world finance can become matters of smooth co-operation and be gradually edged out of the province of jealous and jostling national sovereignties. As in domestic affairs, greater freedom and equality, both for men and for nations, can come by taking more and more things 'out of politics'. But for a long time to come, a very important residue is likely to remain within the province of politics.

Within the province of this 'political residue' of international affairs, power can hardly become irrelevant; and there cannot be equality of power or absolute independence. The most there can be is a certain balance of power or, in Professor Carr's words, 'a balanced structure of international or multinational groupings both for the maintenance of security and for the planned development of the economies of geographical areas and groups of nations'; and a growing equality of status, if not of power, between such nations and national groupings, a reciprocal re-

spect for the traditions, independent existence and worth of men of other nations and national groupings. Between nations, as between men, equity of treatment and 'equality of consideration' are perhaps the approximation most to be hoped for; and in this real and limited sense, it is not proven to be unattainable. The existence of the British Commonwealth of Nations, of the multinational community of the United States and the multinational Soviet Union each, in its own way, points to how this can be attained.

In relations between world powers and colonial peoples, now formally defined by the general conditions of 'trusteeship' laid down in Chapter XI of the United Nations Charter, equality of consideration may still be far off; but the principles of equity of treatment have at least been formally accepted. All members of the United Nations have 'recognised the principle' that 'the interests of the inhabitants of these territories are paramount', and have accepted 'as a sacred trust the obligation to promote to the utmost...the well-being of the inhabitants of these territories'. In addition, a special 'trusteeship system' has been set up (under Chapter XII of the Charter) whereby states which enter into trusteeship agreements concerning certain territories are made accountable to the Trusteeship Council for their administration. Regular

reports have to be made by the trustee, petitions can be received from the trust territory, and periodic inspection may be made by the Council. There are thus both a general moral obligation of equitable treatment recognised by all the great colonial powers, and also specific political undertakings made by the powers concerning their government of former mandated territories. In principle, advance has been made towards greater equality of relations between imperial powers and their dependent colonies. On the other hand, all trusteeship agreements so far concluded have insisted upon the closer assimilation and integration of trust territories into the normal colonial system of the power concerned. So colonial, like international, relations have reached that stage where a standard of behaviour, general principles of minimum justice and basic humanity are in process of definition and recognition; but in both the problem of enforcement is only partially solved. Further advance depends partly on how effectively the principle of 'accountability' is respected and upheld; but even more does it depend on how far the ideal of equality spills over from domestic to external policy within the democratic colonial powers themselves. Equality, like charity, begins at home.

Finally, therefore, we must seek what the connections are between those 'equal rights of men

and women' and those 'equal rights of nations large and small' of which the United Nations Charter speaks, and to the accomplishment of which all signatories of the Charter have specifically pledged themselves. Here we reach the heart of the relationship between liberty and equality as human rights, and therefore the crux of the 'current problem' of equality.

CHAPTER VII

CONCLUSION: LIBERTY, EQUALITY, FRATERNITY

A French sociologist, Célestin Bouglé, produced in 1899 an historical and sociological study of *Les Idées Égalitaires*. He sought an explanation of why the two main periods of history which gave birth to egalitarian ideas were the latter years of the Roman Empire and the last two centuries of western European and American history. He concluded that the main characteristic common to both epochs was the existence of populations which were large, dense and mobile, including individuals who combined common culture with personal diversity, and groups which were diverse yet overlapped:

> Il nous a semblé que les progrès de la quantité sociale, de la mobilité et de la densité, de l'homogénéité et de l'hétérogénéité, de la complication et de l'unification, conspiraient pour mettre en lumière, sur les ruines des classes et des castes, à la fois le prix de l'humanité et celui de l'individu; ils devaient donc, suivant toutes les vraisemblances psychologiques, conduire les peuples à l'idée de l'égalité des hommes.

He rightly saw that to establish such a correlation between certain social conditions and ideas was

not to determine which was cause and which was effect; men might so group themselves because they wanted to be equal. But in any case there is close interaction between social conditions and operative ideals. The most actively operative ideal of our own times is equality; the social conditions which have conspired to exalt this ideal are partially revealed by the choice of ideal. To understand the ideal and its practical implications is to understand better both the conditions which have produced it and the situation to which it is leading.

President Franklin D. Roosevelt provided, in 1941, one of the most succinct descriptions of the general ideals of our time. After his fateful election for a third term, he said:

> In the future days that we seek to make secure, we look forward to a world founded upon four essential freedoms.
>
> The first is freedom of speech and expression—everywhere in the world.
>
> The second is freedom of every person to worship God in his own way everywhere in the world.
>
> The third is freedom from want, which, translated into world terms, means economic understandings which will secure to every nation a healthy peace-time life for its inhabitants everywhere in the world.
>
> The fourth is freedom from fear, which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit

an act of physical aggression against any neighbour anywhere in the world.

The first two of these 'Four Freedoms' can normally, given national political independence, be safeguarded within the province of separate national action; the second two cannot. They demand, even for approximation to them, world-wide organisation and action. In this way the common ideals, undoubtedly shared by the great majority of men and women in the world, depend both on national and on international action.

The first two freedoms have been achieved, where they have been achieved at all, by the reconciliation of the ideals of individual liberty and personal equality; how this reconciliation was attained has already been described.* The second two freedoms have never so far in world history been consistently attained. But they, too, entail due respect for the twin ideals of liberty and equality; how they may be partially reconciled has also been already considered.† But the crucial problem remains: how far can the third and fourth freedoms be attained simultaneously and in harmony with the first two? Can freedom from want and freedom from fear be reconciled in the modern world with freedom of expression and freedom of religious faith?

* Chaps. II, III and IV above.

† Chaps. V and VI above.

There is, indeed, a certain difference between 'freedoms of' and 'freedoms from'. Freedom of expression and of worship means, in essence, freedom from the dictates of other men. Freedom from want and fear means, in essence, freedom from the dictates of material necessity. The first two involve legal, civil and religious equality among men. The second two involve greater social, economic and international equality among men. From the point of view of the individual concerned, the hardship in being deprived of any of the four freedoms means that he is thereby placed more at the mercy of other men. Perhaps the main springs of the contemporary demand for greater equality lie in this sense that even adverse material conditions impinge on the individual in the form of inequalities among men and therefore lack of liberty. But it is a sentiment mingled with the faith that if co-operation among men replaced competition among men, there could be greater freedom for all; and also greater equality. Want and fear still retain something of their original character as almost impersonal calamities, inflicted more by impersonal material conditions and a situation beyond the control of any single individual than by the direct will of other men. Just as famine and war were once regarded as in the same category of human calamities as earthquakes, floods and volcanic

eruptions, so want and fear still retain something of their old awe-inspiring impersonality. But just as the effects of famine and disease can be minimised by modern organisation, so the belief has spread that want and war can be prevented by human wit and skill in organisation.

The most significant difference between securing freedom of expression and worship, and securing greater freedom from want and fear, is that the latter requires much more elaborate, far-reaching and thoroughgoing concerted action. It calls for a greater measure of social solidarity, a higher quality of imaginative human sympathy, and a greater degree of sustained co-operation both in thought and action, than most men and nations have yet shown themselves capable of attaining.

Freedom from want, in the topical form of greater social security, calls for an ideal of social solidarity as a corrective to former emphasis on individual advancement through the acquisition of wealth; a community conscience which can thrive only in the absence of gross inequalities of poverty and wealth; acceptance of the principle that wealth should go 'to each according to his needs' rather than simply 'to each according to his work'. To introduce into an economic and social system based on reward according to work the principle of reward according to needs sets in motion a movement of egalitarian forces which

leads beyond the policies of a free economy; and this new and revolutionary principle, once introduced and generally accepted, tends to overlay, replace and eventually perhaps devour the old principle of reward according to work done. In the process a new communal solidarity is born, a sense of collective responsibility which may weaken initiative, but which ranks solidarity above initiative. It generates the demand for further equality, and men are carried forward from the recognition of greater social equality to the clamour for greater economic equality. The social conditions of diversity and mobility which Bouglé noted as normally producing movements of egalitarianism are changed, thereby, to conditions of greater solidarity and stability. Through such a transition the western democracies are now passing.

In a similar way, the ideal of freedom from fear, in the topical form of greater international security, calls for an ideal of international solidarity as a corrective to former emphasis on national sovereignty and on independence through the acquisition of military power; a resolve to reduce inequalities of power between nations, or to regard them as irrelevant to the settlement of disputes between nations; acceptance of the principle that disputes should be settled by the tests of law and justice, rather than by the power of the stronger. This, too, is a highly revolutionary principle—

so revolutionary that no major power has yet accepted it sufficiently to enter into an international organisation in which it did not retain the absolute power to veto decisions or from which it could not withdraw at will and resort to its own might. (The failure to achieve 'compulsory arbitration' between the two wars is evidence enough of this attitude.) The nearest the world has come to 'freedom from fear' so far is, therefore, a certain equilibrium between potentially rival powers or power-blocs. Such a 'balance of power' may provide relative security, in the sense of temporary freedom from fear of aggression. It is highly significant that several recent statements by men with penetrating understanding of international affairs have reverted to the notion of a 'balance of power'.* So long as national separatism is strong enough to block solid co-operation, this is the only alternative to the hegemony of a single power. International relations have drifted into a vicious circle. So long as each state is more concerned to prevent defeat in a war than to prevent war itself, the balance of power is accompanied by a feverish armaments competition and there is no freedom from fear; yet without an effective international authority to keep the peace,

* E.g. E. L. Woodward, *Some Political Consequences of the Atomic Bomb* (1945), p. 18; E. H. Carr, *Nationalism and After* (1945), p. 70; P. Matthews, *European Balance* (1945), *passim*.

each nation is naturally and rightly concerned with preventing its own defeat as much as with preventing war. The paradox—'if you wish peace prepare for war'—haunts all international affairs even more acutely since the second world war than it did between the two wars.

Behind this paradox lies a further contemporary dilemma. Men have witnessed the cumulative destruction of human freedom in one state after another, as soon as frontiers were transgressed by the Nazi hordes. From this some would draw the moral that only if the destruction of political democracy anywhere is prevented, even by intervention, can such calamities be forestalled.* But the first reaction of most men has been that only if their own national frontiers be preserved intact, as the very symbol of national independence, can individual liberties be safeguarded. Only countries fortunate enough to maintain their frontiers immune are preserved from the experience of a Belsen or a Dachau. And so frontiers and their problems have loomed far larger in the attempts to reach a peace settlement than most pundits had predicted; and men's very anxiety to defend the first two freedoms strengthens forces which frustrate their hopes of attaining the second two freedoms.

* E.g. Professor Karl Loewenstein, *Political Reconstruction* (1946).

So, too, it is abundantly apparent that in post-war Russia, as in pre-war Germany, Italy and Japan, freedom of expression and freedom of worship are not secured as they are secured in democracy. It may be claimed for Soviet Russia that freedom from want and even freedom from fear have been secured in greater measure than elsewhere; although the extent to which abject fear and suspicion have dominated Russian foreign policy would seem to belie even part of this claim. But it is simply hypocritical to pretend that they have been secured to this extent without a serious sacrifice of the first two of the four freedoms. The phrase 'freedom-loving nations' has become popular in official joint declarations precisely because it conveniently obscures this deep difference of outlook between the major partners in the victorious coalition called the 'United Nations'.

And so, once again, it is left to democracy to make the most ambitious and daring experiment of all: to try to get still nearer to attainment of all four freedoms simultaneously. Since 'freedom from fear' internationally is a special—though certainly not a separate—problem, involving many factors beyond their immediate control, this experiment means primarily, for the democratic nations, an effort to achieve social security and full employment by such democratic means as will not impair freedom of expression or of worship.

This, indeed, is the underlying human conflict in the world to-day. It is the battle between Liberalism and Socialism on the one hand, and Communism on the other; for all political parties now pursue kindred ends of social security. All three major British parties and all three major French parties fought their last elections on the issue of means rather than ends. Just as all British parties adopted the 'Beveridge Plan' in essentials, so all French parties stood on the common platform of the 'Resistance Charter'. But the divisions between them in each case, over means to these common ends, were vitally important. In Britain, the issue was whether social security and full employment were to be pursued within a post-war economy being edged back to a basis of private enterprise with a minimum of collective control and regulation, or within a post-war economy being edged forwards to a basis of collective ownership and control of the main means of production and distribution. In France, the issue was whether the Resistance Charter's objectives were to be pursued through a parliamentary Republic in which the democratic liberties would be fully preserved, or through a more totalitarian order ready to sacrifice a large measure of personal liberty for collective planning. In both countries, in these post-war years which are still so liable to become pre-war years, the issue between the nega-

tive and the positive state, whatever Americans may think, is no longer a real issue. It is whether full employment, social security and economic planning are to be pursued through democratic means so that they do not destroy the human value of freedom, or whether they are to be pursued by methods of totalitarian violence. That is the main political challenge of our time.

What light, then, can the foregoing survey of the growth of the ideal of equality throw on the nature and prospects of an adequate democratic response to this challenge? Perhaps the main points can be listed as follows:

1. As regards the ideal of equality, it is important—in the light of past experience—that we should neither rebound from it with fear or horror, nor exaggerate the probable effects of efforts to attain it. Political, social or economic equality is no panacea in itself; it is void of democratic meaning apart from its coefficient liberty, but so too is liberty without due reconciliation with the ideal of equality. Only when equality is regarded as a normal, traditional and integral part of the democratic ideal, as it has historically evolved in the past, is it likely to be regarded with that due respect, but also with that due scepticism, which bring it within the horizon of practical achievement.

2. The modern outcrop of practical measures and aspirations which are associated with the ideal of equality—full employment, social security, and the operations of the positive, social-service state —should be evaluated in their proper historical setting, as the latest accretions to the layers of equality achieved in the past. Men early came to accept the implications of legal equality, because they inherited a tradition of legal equality from the common law. On this tradition there grew in America, France, and to a less extent in Britain, a subsidiary tradition of religious, political and social equality. This tradition struck deep roots in all three countries, with varying emphasis on each of its three ingredients: social and religious equality being most valued in America, religious and political equality in Britain, social and political equality in France. In all these developments the values of equality and liberty developed in step and in harmony, and made progress only so far as they were in harmony. Under the pressure of events in the twentieth century the ideal of economic equality seized hold of men's minds as an antidote to mass unemployment, poverty, insecurity and fear. Given a growing tradition of social and economic equality, there is no apparent reason why the historical development of the ideal should not find further extension in a new social order; but again it will have to be

systematically reconciled with the complementary ideals of human freedom if such extension is to gain general acceptance and prove durable.

3. Different forms of equality have in the past won general acceptance, and have been reconciled with liberty, only when conflicting sides were fairly equally balanced in strength. Without such balance one side has been subordinated, to the detriment of both liberty and equality. Thus the religious struggles of the sixteenth and seventeenth centuries ended in recognition of the principle of religious equality only when it had become plain that neither side could be permanently subdued; legal privilege was overthrown only when the unprivileged or the underprivileged classes were irresistibly strong; political equality came only when agitation for it threatened law and order, and when political parties were evenly balanced between the champions and opponents of new popular interests seeking the vote. So in the past generation, social and economic equality have won increasing recognition with the rise of organised labour movements and after bitter experience of social insecurity, mass unemployment and distress. Such is the tide of events, and there are strong reasons for believing that this tendency, too, will prove irresistible. The appetite for equality grows with the tasting of it. If so, the main practical task for modern democrats is neither to oppose the

growth of greater social and economic equality, nor to deplore this drift, but to ensure that it be adequately reconciled with the ideal of liberty, and with existing forms of democratic equality; for this is no innovating, hostile, extraneous force, but the further extension of principles already deep-rooted in the origins and nature of western democracy. If we do not like it we do not like democracy, and had better give up pretending to be democrats.

4. However much collective action and co-operative planning may be desirable as means towards these ends, the ideals of equality and liberty can be reconciled only if both are firmly rooted in reverence for the individual personality; so that, in Professor Tawney's words, to desire equality is

> to hold that while natural endowments differ profoundly, it is the mark of a civilised society to aim at eliminating such inequalities as have their source not in individual differences, but in its own organisation, and that individual differences, which are a source of social energy, are more likely to ripen and find expression if social inequalities are, as far as practicable, diminished.

The kind of egalitarianism which would win uniform equality of external material conditions at the expense of that respect for inner equality of the human soul which is compatible with human

liberty, is not democratic egalitarianism. De Tocqueville noted over a century ago, in his study of *Democracy in America* which is really a study of social equality,

> The principle of equality begets two tendencies; the one leads men straight to independence, and may suddenly drive them into anarchy; the other conducts them by a longer, more secret, but more certain route, to slavery.

In short, not only must social and economic equality be combined with social and economic liberty, but it must also be combined with legal, religious and political equality: for not only is liberty complementary to equality, but one form of equality is complementary to every other form. Material equality without reverence for spiritual equality leads to the pit of tyranny.

Seen thus in their totality both historically and philosophically, different components of the democratic ideal serve as mutually corrective forces. The kind of economic equality which can be attained only by the sacrifice of political freedom or political equality is not within the scope of democracy to attain; the kind of economic liberty which entails the negation of social equality and political equality requires reconsideration and modification in a democratic society. The connection between the kind of equality that is

material and the kind of equality that is spiritual is vital. If it be true that a mathematically equal distribution of wealth, services, amenities would be inequitable, it is also true that a distribution of such things which is too unequal will be inequitable, and will discourage that spontaneous respect and reverence for all human personalities as such which has here been called spiritual equality. There is an 'outer' equality of condition and circumstance which can be enforced, and there is an 'inner' equality of human personality for which respect is unforced; and the second is a higher form of equality than the first. But without some regard to the first, the second is unlikely to grow and flourish; for it is a tender plant, rooted in the soil of a cultured and civilised democratic society. In this way, too, different forms of the ideal of equality should balance one another within the broader context of democratic idealism.

The kind of equality which satisfies the democratic ideal is to be found, ultimately, in that quality of human relationships where spontaneous reverence for the personality of a fellow human being is taken for granted, and is inseparably part of everyday life. The Society of Friends is perhaps the community which has most completely realised this ideal. The democratic society of a nation-state must be content, normally, with something less than this; but such is the ideal which must inspire

its domestic and foreign policy if it is to remain a dynamic and progressive democracy. And present efforts to achieve less inequality, hesitant, confused and crude though they often are, call not for denunciation of the ideal but for subtler and more comprehensive understanding of what it means. The provisional answer suggested by the argument of this book is that its meaning is, broadly, threefold.

It is, first, an ideal put forward by prophets, philosophers, men of vision and insight, and dreamers of dreams, historically conditioned by the system of ideas and social organisation which they are protesting against. Such men were the American and French revolutionaries of the eighteenth century, the early radicals in England, the Babouvists of France. This kind of equality is often stated in a crude, doctrinaire and over-simplified manner, and is usually coupled with the ideal of liberty. When this ideal has taken hold of the minds of larger masses of men, and is brought down to earthy matters of legal and political enactment or social and economic organisation, a new kind of equality is born. It, too, may be crude and imperfect in its expression; but through day-to-day experience of enforced equality, however imperfect, a new way of life becomes normal and accepted, and a more democratic kind of society is created. Within this society the ideal of equality,

like the ideal of liberty, goes on being extended and refined, until it finds expression in a widening sphere of human activities. These activities include behaviour towards other communities, national or colonial, as well as domestic policies. Finally, from the new way of life thus engendered, a third kind of equality is born. It is a vision of that spontaneous quality of human relationships, undefined by social organisation, which characterises relations between members of the same family, and which the fathers of modern democracy called 'fraternity'. In modern history no large territorial community has yet reached that stage in any completeness, though glimpses of it appear in times of acute national crisis, and already the vision of such relationships has inspired men to action. It is what socialists see as a socialist commonwealth, and Marxists as the ultimate 'classless society'; it is also what Christians call the brotherhood of man.

These three kinds of equality, which may be respectively labelled doctrinaire equality, enacted or social equality, and fraternal equality, blend and merge confusingly one into the other in historical evolution, and therefore become inseparably connected in men's minds. But they must be separated for purposes of clear thinking. If they are not, we find the growth of enacted or social equality being resisted on the grounds that abso-

lute or literal equality is an impossibility; whereas it was the original doctrinaires of equality who spoke of it as an absolute value, and not the serious political movements of our own day.* Or else we find the vision of a more democratic society being attacked on the grounds that whilst liberty is a generous and expansive ideal, equality is an envious, covetous, restrictionist ideal; whereas these characteristics of equality have only been acquired incidentally during the process of social enactment, and are in no way intrinsic in the vision of democratic equality itself. A spirit of interdependence and co-operation is no more morally reprehensible than a spirit of independence and individual enterprise. Both can be reconciled within the many-sided activities of a democratic community of free and equal men.

It is because the totality of the democratic ideal has been lost from sight, because one form of its manifold idealism has been treated as alone 'fundamental' or 'real' democracy, that it has been distorted and diverted from its path. Its path is the middle way of harmony and reconciliation. But to follow the middle way is not to defend patchwork compromise or lukewarm half-measures. If democracy be a middle way, it is in this more profound sense of a balanced movement of idealism and progress, satisfying the all-round,

* See above, Chap. 1.

many-sided requirements of the human personality, both spiritual and material. It is no doubt over-simplification to say that western civilization, at last, is moving from the first phase, the fight for liberty, through the present stage of the quest for equality, and may eventually progress towards the ultimate goal of human fraternity. The democrat has some reason to believe that this movement is taking place, so long as the countless pitfalls by the way are not overlooked and so long as the achievement of progress is not assumed to be inevitable.

The defensive posture of democracy, even after victory over fascist totalitarianism, is one sign that it can survive and triumph only if it meets and beats totalitarianism, of the Right or the Left, on its own ground; only if it can offer suffering humanity something which men need and which a democratic order can alone provide; only if the faith and philosophy of democracy are reformulated constantly in more apt and comprehensive terms, sensitively appropriate to the needs and desires of men in modern society. It is far beyond the scope of this booklet to embark on so immense a task. It has attempted only to analyse and propound the problem as the author sees it, as the need to rediscover the consistency and compatability of equality and liberty.

INDEX

America, *see* United States of America
Atlantic Charter, 115
Atomic power, 124–5

Babeuf, 'Gracchus', 6, 84–9, 101, 152
Bentham, J., 22–3
Beveridge, Lord, 90, 107, 145
Bevin, Ernest, 91–2
Bouglé, C., 136, 141
Britain, *see* United Kingdom
Bryce, Lord, 1, 12 n.

Carr, E. H., 127–8, 132, 142 n.
Catholic Church, Roman, 14, 16, 27, 46, 48–53, 81
Chesterton, G. K., 3, 106, 124
Christianity, 11–17, 27–9, 47, 55
Civil service, 18, 34, 39, 73, 110–11
Colonial trusteeship, 77–8, 133–5
Communism, 5–8, 89, 100, 145

Democracy, 1, 2, 13, 15, 16, 18, 24, 43–4, 65, 74–80, 88–9, 104, 109, 130, Chap. VII *passim*
Distributivism, 102–3, 106–7, 109
Dreyfus Case, 40, 51–2

Education, 54–9
England, *see* United Kingdom
Engels, F., 7–8
'Equality of opportunity', 92, 102
'Equality of sacrifice', 93
'Equal pay for equal work', 93–8

France, 17, 18, 21, 23, 29–30, 33, 40, 44–7, 51, 53, 56, 58, 64–6, 71–3, 76–7, 84–8, 96, 101–2, 104–5, 107, 111–13, 129, 145, 147, 153
French Revolution, 46, 61, 84–7, 102, 104, 152
Fraternity, 151–5
'Four Freedoms', (v), 137–46
Full employment, (v), 90–2, 130, 146–7

Germany, 36, 44, 51, 76, 144
Great Britain, *see* United Kingdom

India, 75, 120
Individuality, 4, 149
International Bank for Reconstruction and Development, 116–17, 119, 124
International Labour Organization, 118, 122–3, 129, 131
International Monetary Fund, 116–17, 119, 124
Italy, 36, 51, 144

Judiciary, 27–36

Law, Common, 29–33, 37–9, 147
Law, Natural, *see* Natural Law
Law, Rule of, 12, 18, Chap. II *passim*, 121
League of Nations, 116, 118, 123, 131
Liberty, 9, 20–1, 41–2, 100, 113–14, 120, 124, 126–9, Chap. VII *passim*
Lindsay, Lord, 11–12
Locke, John, 20–1, 45, 60, 80

Maine, Sir Henry, 25–6
Marx, Karl, 6–7, 84, 89, 127, 153
More, Hannah, 81–2

Natural Law, 11, 22, 25–7, 80
Natural Rights, 11–13, 20, 80, 84, 129–31
'New Deal', 105–6

Paine, Tom, 63–4, 80
Paul, St, 12
Peel, Sir Robert, 38, 51
Permanent Court of International Justice, 121
Plural voting, 69
Police, 38–9
Proportional representation, 71–2, 100
Prussia, 17–18
Puritanism, 15–16, 19–20, 44–5, 81

'Resistance Charter', 2, 111–13, 145
Responsible government, 70–4
Rights, Natural, *see* Natural Rights
Ritchie, D. G., 9, 14, 41–2
Roman Law (and Roman lawyers), 12–13, 25–7, 80
Roosevelt, F. D., 93, 105, 137–8
Rousseau, J.-J., 83–4
Russia, *see* Union of Soviet Socialist Republics

Secret ballot, 67–8
'Separation of Powers', 31–6
Shaw, G. B., 99
Socialism, 5–6, 8, 100, 145
'Social security', 89–91, 97, 100–1, 105, 107, 130, Chapter VII *passim*
'Social-service State', (vi), 23–4, 73–4, 89–92, 97–8, 107–9
Spain, 51, 53
Stalin, J., 8
Stoics, 11, 80
Suffrage, female, 42, 62–3
Suffrage, universal male, Chap. IV *passim*, 80, 110

Tawney, R. H., 2, 10, 58–9, 149
Tocqueville, A. de, 103, 150
Trade Unions, 108–14, 148

Union of Soviet Socialist Republics, 74, 120, 126–9, 131, 133, 144

United Kingdom, 1, 17, 19, 23, 28, 30–4, 38–9, 48–9, 55–8, 65–9, 71–2, 90–6, 110–11, 145, 147, 152–3
United Nations, (v), 42, 75, 77, 80, 93, 115–18, 123–4, 131, 133–5, 144
United States of America, 21, 23, 33, 46–8, 54, 69, 74–6, 79, 88, 96, 102–6, 120, 133, 137, 147, 150, 152

Woolf, L. S., 2