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Citizenship in Britain and Europe: some missing links in T.H. Marshall's theory of rights

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Citizenship in Britain and Europe: Some missing links in T.H. Marshall's theory of rights

ZeS-Working Paper No. 2/2010

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Summary

T.H. Marshall's reputation as an historian, social theorist, and practical interpreter of ideas about citizenship and welfare rights has probably never been higher than at the present time. Whether or not T. H. Marshall was 'right' or 'wrong' in his analysis of the questions raised in *Citizenship and Social Class* (1949)*, he has come to be seen as a key figure in sparking-off and mediating far-reaching new approaches to ideas about social welfare policy, citizenship laws, and fundamental social rights.

Full discussion of Marshall's influence opens up some very large questions, going far beyond the scope of this paper. Here I want to focus on some curious historical gaps and unanswered questions in Marshalls *Citizenship and Social Class*—gaps that relate both to Marshall's account of the longer-term historical past and to contemporary movements in his own times. First, in a British context, I am puzzled by his narrative of the long-term evolution of citizenship and welfare rights, as these had developed from the 'early-modern' period through into the twentieth-century. And, secondly, in a wider European context, I am equally if not more puzzled by Marshall's relation to the massive debates about citizenship and rights of all kinds that was going on in Europe during the mid-to-late-1940s, at exactly the moment when he was preparing his Cambridge lectures on those same themes.

Zusammenfassung

Der Ruf von T.H. Marshall als Historiker, Gesellschaftstheoretiker und Deuter von Ideen über *Bürgerrechte und soziale Klassen* (1949)* war wahrscheinlich nie besser als heute. Ob Marshalls Analyse in *Bürgerrechte und soziale Klassen* nun zutrifft oder nicht, er wird heute als einer der zentralen Denker gesehen, die unsere Ideen von Sozialpolitik, Bürgerschaft und grundlegenden sozialen Rechten angestoßen und gebündelt haben.

Eine vollständige Diskussion von Marshalls Einfluss führte in eine Vielzahl großer Fragen hinein, die weit über dieses Papier hinausgehen würde. Hier möchte ich mich auf verschiedene auffällige historische Lücken und offene Fragen konzentrieren, die sich aus *Bürgerrechte und soziale Klassen* ergeben. Diese Lücken beziehen sich auf Marshalls Darstellung der langen historischen Wellen und auf die sozialen Bewegungen in seiner Gegenwart, also um 1949. Erstens, im britischen Zusammenhang gibt mir seine Erzählung der Langfristentwicklung von Bürgerrechten und sozialen Klassen wie sie sich von der frühen Neuzeit bis ins 20. Jahrhundert entwickelt haben, Fragen auf. Zweitens, in einem breiteren europäischen Zusammenhang frage ich besonders nach Marshalls Beziehungen zu den umfangreichen Diskussionen über Bürgerschaft und weitere Rechte aller Art, die im Europa der zweiten Hälfte der 40er Jahre stattgefunden haben, also genau zu dem Zeitpunkt als er seine Vorträge in Cambridge über diese Themen vorbereitete.

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* German translation: *Bürgerrechte und soziale Klassen: zur Soziologie des Wohlfahrtsstaates / Thomas H. Marshall*. Herausgegeben, übersetzt und mit einem Vorwort versehen von Elmar Rieger, Frankfurt a.M.: Campus 1992. Der titelgebende Aufsatz beruht auf der A. Marshall Lecture von 1949 in Cambridge.

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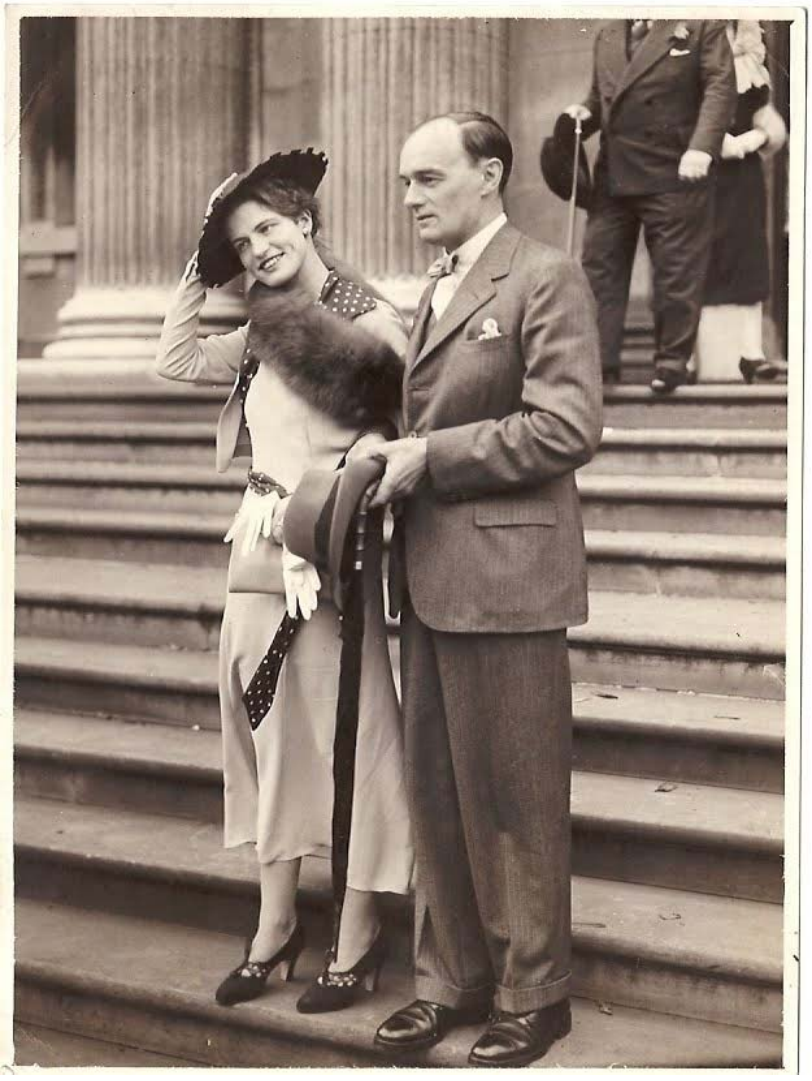

Thomas Humphrey Marshall (1893-1981) and Nadine Hambourg (1911-2009), wedding photograph (1934)

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The Marshall family with son Mark Anthony (born 1937)

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I. Some historical lacunae and missing links

T.H. Marshall's reputation as an historian, social theorist, and practical interpreter of ideas about citizenship and welfare rights has probably never been higher than at the present time. Many recent commentators have found in his work important clues, not just to British and European institutional change but to a much wider global transition from traditional societies to social and political modernity. Over the past two decades several comparative research programmes have been carried out in Marshall's name; and a series of public memorial lectures – many delivered by internationally-renowned political and social scientists – has been established in his honour. Not all contributors to those proceedings have been entirely appreciative of the substantive content of Marshall's thought, and one at least of the memorial lecturers was quite savagely critical. But, nonetheless, all have agreed in portraying Marshall's Cambridge lectures of 1949 - on *Citizenship and Social Class* – as a seminal moment in enlarging the content of traditional notions of rights, and in injecting a powerful 'social' dimension into both British and European notions of what is meant by 'citizenship.'(Bulmer/Rees 1996) In other words, whether or not T. H. Marshall was 'right' or 'wrong' in his analysis of these questions, he has come to be seen as a key figure in sparking-off and mediating far-reaching new approaches to ideas about social welfare policy, citizenship laws, and fundamental social rights.

Full discussion of Marshall's influence opens up some very large questions, going far beyond the scope of this paper. Here I don't want to focus on Marshall's long-term practical influence on social policies, nor on his standing as an academic sociologist, but on some curious historical gaps and unanswered questions in *Citizenship and Social Class* - gaps that relate both to Marshall's account of the longer-term historical past and to contemporary movements in his own times. First, in a British context, I am puzzled by his narrative of the long-term evolution of citizenship and welfare rights, as these had developed from the 'early-modern' period through into the twentieth-century. And, secondly, in a wider European context, I am equally if not more puzzled by Marshall's relation to the massive debates about citizenship and rights of all kinds that was going on in Europe during the mid-to-late-1940s, at exactly the moment when he was preparing his Cambridge lectures on those same themes. Marshall's work as a wartime official in the research branch of the Foreign Office, and then in the Allied occupation of post-war Germany meant that he must have been was fully conversant with those debates (indeed much of his work on European reconstruction seems to have been closely related to just such issues). Yet on all aspects of such discussion the text of his Cambridge lectures was conspicuous by it silence. In addressing these gaps I have no intention of challenging T.H. Marshall's standing as an important historical figure. But Marshall himself believed that the constant re-evaluation of history played an important role in both understanding the past and informing the present. In tune with those goals, I shall first look briefly at Marshall himself and his intellectual interests and outlook. I shall then turn more closely to his Cambridge lectures of 1949, and to their analysis of citizenship and the evolution of rights. And finally I shall assess Marshall's account of these matters, first in relation to the longue

durée of earlier British history, and then to the more immediate context of the massive debate on citizenship and human rights that exploded in Europe in the aftermath of the Second World War.

II. Biographical background

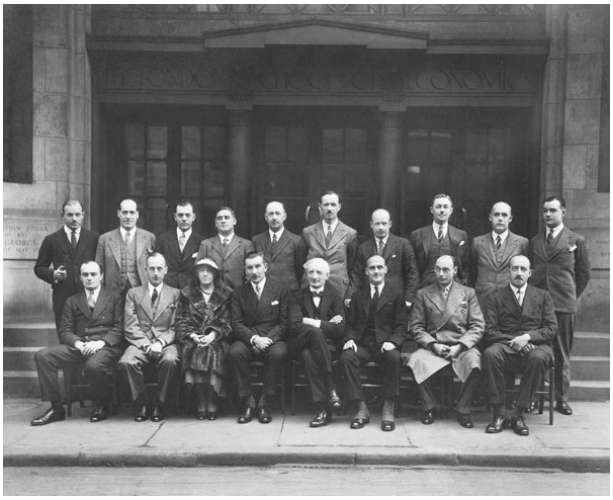
Who was Thomas Humphrey Marshall, and how did he come to acquire his reputation as one of the founding fathers of modern international notions of citizenship and social rights? There is no full-scale biography of Marshall, but details of his life may be gleaned from his own 'Autobiographical Essay'[1], from an illuminating memoir by Professor Halsey (1984; 2004), and from an excellent Oxford D.Phil. thesis by one of my former research students, Dr. Eugenia Low (2000) Born in 1893, Marshall was the grandson of a highly successful Midlands manufacturer who had made a fortune in the Industrial Revolution and retired into the landed gentry, and whose descendants lived as rentiers or members of the various gentrified professions. Tom Marshall himself was educated at Rugby and then Cambridge, where he got a first in Part One of the Historical Tripos. But his career was rudely interrupted by the fact that he happened to be on vacation in Germany in August 1914, and was interned for the next four years in the civilian prisoner-of-war camp at Ruhleben, near Berlin, where he became fluent in modern European languages and tutored other inmates in politics and economic history. Commentators on Marshall's life and hought have all seen Ruhleben as a key influence on his later intellectual development. This lay partly in developing his European interests; partly in bringing him for the first time in his life into close contact with fellow-citizens of the English working-class ; and partly in bringing about a close friendship with an unusual fellow-inmate, J. C. Masterman, of Worcester College and later of MI5, who helped to sustain his interest in academic history.[2] In 1919 Marshall returned to Cambridge[3], and was elected to a prize fellowship at Trinity, awarded on the strength of a dissertation on the decline of the English gild-system during the late-sixteenth and early-seventeenth centuries. This thesis, which portrayed gilds as having embodied a very high degree of inter-class co-operation, foreshadowed what was to become a central component of Marshall's later social beliefs – which was that, while functionally-based *differences* between classes by their very nature could never be abolished, economic and status *inequalities* between classes could be greatly reduced and abridged. This closely chimed with the 'guild-socialist' doctrines being propagated at that time by G.D.H. Cole and R.H.Tawney, and led Marshall to stand as a Labour candidate (for a hopeless seat) in

1 Marshall Papers, 4/3, 'Autobiographical Essay', ff.19-43 [LSE Archives in the BLPES (British Library of Political and Economic Science)].

2 Masterman is thought by some to have been an influence behind Marshall's recruitment in 1940 to the German department of the British Foreign Office, though evidence for this is lacking.

3 He was excused from taking Part Two of his B.A. degree on account of war service. But Marshall's rapid ascent from Part One of the History Tripos to a Trinity fellowship is a measure of the intellectual esteem in which he was held in this early period.

the 1922 general election. Thereafter he moved from Cambridge to the London School of Economics, where he pursued a rather erratic academic career. He worked first as a 'tutor in social work' in the Social Science department, then as a lecturer in Economic History under Tawney, then from 1931 as a reader in the department of Sociology. Not until towards the end of the Second World War did he gain the title of professor of Sociology, and even then it was for an appointment attached to the LSE's Social Science department, with responsibility for developing academic training in social work. Only in 1950, the year *after* his celebrated Alfred Marshall Memorial lectures in Cambridge, did Thomas Marshall become a full-time professor in the LSE's department of Sociology, and not until 1954, when he was well over sixty, did he acquire a senior chair.



LSE Army Class 1931-1932
Major M.G.N. Stopford, MC, Major A. I. Nixon, Capt. H.H. Story, MC, Major V.C. Cassidy, OBE, Lt.-Col. E.H. Fitzherbert, DSO, MC, Mr J.R. Seal MBE, Lt.-Col. W.E.C Pickthall OBE, Major H.R. Herbert, Major N. Underhill, Capt. E. F. Harvey, *Mr T.H. Marshall (front row, first left)*, Lt.-Col. D. Mc. A. Hogg MC, Mrs J. Mair OBE, Lt.-Col. C. Burton CBE, DSO, *Sir William Beveridge KCB (front row, fifth from the left)*, Lt.-Col. A.E. Holbrook, DSO, Lt.-Col. C.L. B. Fraser, Lt.-Col. S.E. H. Giles, DSO
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Such a chequered history of transition between disciplines in part reflected the generally 'underdeveloped' state of the social sciences in Britain during much of the interwar period.[4] But it also mirrored certain more personal traits in the character and intellectual interests of Marshall himself. He had little taste for personal involvement in empirical sociological studies (only embarking on them with the help of research assistants towards the end of his academic career). And he later admitted that, despite his interest in European languages and culture, he had read almost nothing of the major classics of European sociology before the mid-1950s (i.e. some years *after* the publication of what many see as his own most important sociological work).[5] He also had wide musical, literary and theatrical tastes, together with many personal, social and family concerns, all of which constantly vied with his interest in academic social theory. Moreover, in the mid and late 1930s he was in constant demand as a speaker and presenter on various highbrow and popular discussion programmes for the 'Na-

4 An condition by no means confined to the LSE. In Oxford, for example, G.D H. Cole, who had studied classics, became a tutor in politics in the 1920s, then a reader in economics in the 1930s , before eventually becoming Professor of Social and Political Theory in 1944.

5 Despite his fluency in German, for example, Marshall appears not to have seriously read Max Weber's work, even in translation, before 1956. Thereafter he came to believe that Weber's "Verstehende sociology… is, in my view, an indispensable element in the sociology of the present and the future".

tional Service' of the BBC.[6] One such series in 1938, which lasted over eleven weeks, was devoted to a national debate on 'Class and Social Distinctions'. As contributors to these programmes, Marshall recruited high-flying performers from Oxford, Cambridge, and London University: among them Harold Laski, Lionel Robbins, Michael Postan, Eileen Power, Barbara Wootton, Julian Huxley and many others. His role in chairing and summing-up these debates, which he did with great charm and panache, was admirably suited to his synthesising, birds'-eye-view, style of intelligence; and the celebrity he acquired from his BBC role (rather than his repute as a scholar) may well have lain behind the eventual invitation to give the Alfred Marshall lectures in Cambridge in 1949. Further distractions came with the outbreak of the Second World War. During the war and its aftermath, Marshall was employed initially at Chatham House, then as wartime head of the German Branch of the Foreign Office Research department, then in 1946-7 in Germany itself on the staff of the Allied Control Commission; and from mid-1949 until the end of 1950 he was in Germany again as Educational Adviser to the British High Commissioner. All these extra-academic employments, together with Marshall's other wide-ranging private and cultural interests, were for many years scarcely conducive either to rigorous abstract sociological theory or to empirical social research.

Thomas Humphrey Marshall (1893-1981)
by Howard Coster (1944)
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III. The Alfred Marshall Memorial Lectures.

Let us turn now to the Cambridge lectures on *Citizenship and Social Class*, prepared by Marshall in tremendous haste during the winter of 1948-9, in the brief intervals of running one university department while migrating to another, and in transit between his two prolonged spells of government employment in Allied occupied Germany. So far as I know Marshall was the only non-economist ever invited to give these lectures, which were named of course not after himself but after the great late-Victorian economist, *Alfred* Marshall. Alfred Marshall's work had always been of major interest to social theorists and social reformers, because of his defence of redistributive 'wel-

6 E.g., 'One Generation to Another', BBC series, spring 1937, (pubished as Marshall et al. (1938)); T.H. Marshall Papers, 2/16, Broadcast talks 1930-49, particularly 'An Enquiry into Social Distinctions', autumn, 1938; and 'Going Up and Down in the World', June 1949. Marshall's role in such BBC programmes may be seen as spanning the range of interests covered by Melvyn Bragg, Andrew Marr, and Jonathan Dimbleday at the present day.

fare' measures like state old age pensions and progressive graduated taxation, on grounds of 'marginal utility'(Keynes 1926: 199-262). T.H. Marshall was well aware that marginal utility theory was under increasing attack at this time from some of his LSE economist colleagues, such as Lionel Robbins and he consciously chose not to go down that route.[7] But he did pick up on another of Alfred Marshall's key themes, which was the question of how a progressive society that aimed to get rid of poverty while retaining economic efficiency, might do away with the *cultural* and *status* barriers between different *economic* classes. Alfred's answer (which was perhaps a vision rather than an answer) had been that one should aim for a society in which everyone might have the social status of a 'gentleman', regardless of differences of function, income and wealth. Tom Marshall rejected the language of the universal 'gentleman' as anachronistic; but he suggested instead that a notion of socio-economic 'citizenship' – whereby everyone had a right to basic material resources, in the same way that everyone had a right to vote – might perform the same function in rather less archaic terms. The outcome of these reflections was to be Marshall's classic three-stage model of the history of modern citizenship, delivered to a very small but reputedly very appreciative Cambridge audience in the early summer of 1949. This model set out the progressive historical attainment in Britain of what he identified as 'civil rights', 'political rights', and 'social rights' over the course of, respectively, the eighteenth, nineteenth, and twentieth centuries (Marshall/[Bottomore 1950 [1992]: 3-51).

The elegance and simplicity of Marshall's three-stage model have made it very attractive over the past fifty years to numerous social commentators, who have used it as a guide and compass through the complex web of modern and post-modern institutional development, not just in Britain but in many other countries. And its close linking of rights and civic status to command over material goods has been seen an marking an important moment in the transition from Edwardian 'idealism' to much more materialist and positivist notions of what constitutes a 'good society' (Low 2000: 187-212). Inevitably, however, such a grand and simple conception has been vulnerable over the course of time to numerous objections, both analytical and empirical. As many will be aware, Marshall's account has been criticised, even by some of his warmest admirers, on such grounds as being excessively Anglo-centric in its frame of reference, ignoring the very belated citizenship of women, distorting the relationship between 'citizen' rights and market (or 'property') rights, exemplifying a 'Whiggish' theory of progress, and greatly everestimating the extent to which reliance on 'rights' of any kind could abrogate the divisions and inequalities engendered by economic and social class. In this paper I should like to pursue some of these themes, not from the standpoint of the social scientist, but from that of the historian. I shall look first at T.H. Marshall's account of the long-term historical development of citizenship set out in *Citizenship and Social Class*. I shall then comment on his treatment of 'rights' in the context of the massive international resurgence of interest in that theme which was occurring in many parts of Europe in the mid and late 1940s. And I shall conclude by

7 On the rise and fall of marginal utility theory, and its use by social reformers, see Jackson (2004: 508-535).

assessing the continuing significance of Marshall's work for the study of civic, social and intellectual history in the early twenty-first century.

IV. The history of citizenship

First, then, Marshall's account of the history of citizenship over many earlier centuries. Here one of the prime strengths of his analysis lay in its emphasis on 'citizenship', not as an abstract and static concept, but as part of a continuing process of evolution and adaptation. Unlike many earlier writers on the subject Marshall did not portray concepts of citizenship as handed down on tablets of stone from Greece and Rome, nor as a reified abstraction, but as a cluster of ideas and practices that had been worked out over time in different contexts as part of a continuous process of redefinition and renegotiation. He also played an important role in teasing-out peculiarly 'British' conceptions of citizenship from day-to-day legal and administrative practice in Britain (in itself a much more difficult task than that of simply reading-off the constitutional and civil codes that had defined individual citizenship rights in most other mature countries since the late-eighteenth century). Having said that, however, the devil lies in the detail, and there are a number of points on which Marshall's three-pronged analysis of the history of citizenship, as embodied in British experience, was oversimplified or misleading. These points relate both to the actual facts of history, and to historical perceptions, meanings, and terminology. I have already mentioned complaints that Marshall's analytical model was too exclusively derived from the history of England or Britain; but a more serious criticism is that he was sometimes led astray by an over-nominalist and present-minded approach to earlier civic, social and political language. Despite his awareness of the many changing nuances surrounding the term 'gentleman', he at times assumed too readily that the meanings and frame of reference attached to words and concepts over past centuries were identical with those current in 1949.

Thus Marshall, like many later-twentieth century commentators on citizenship, largely disregarded or misinterpreted the notion of 'subjecthood' and the civic position of 'subjects'. The latter was a term often equated in modern discourse with a total *absence* of rights and with unqualified *subjection* to feudal lordship and arbitrary kingship, but which in earlier epochs had frequently entailed much more finely-shaded nuances of meaning (not just in common parlance, but in the writings of theorists such as Hobbes, Blackstone and Bentham). In fact, from the sixteenth century onwards the terms citizen and subject in England were frequently used interchangeably, with 'subject' often being the actively preferred term, even among radicals, republicans and anti-monarchists, as implying a wider and more deeply entrenched set of rights than those of mere 'citizens' (Harris 2004: 74-75). Indeed, 'citizens' were often popularly depicted as inferior persons, buffoons, benighted foreigners and figures of fun, as may be seen in the long tradition of theatrical references to citizens

from the writings of Shakespeare to those of Richard Sheridan and beyond.[8] Likewise the civil rights that Marshall portrayed as emerging only in the eighteenth century had in reality been continuously evolving, under the guise of the 'liberty of the subject' since the fourteenth century and earlier. And what he saw as a crucial touchstone of eighteenth-century citizenship (namely the principle of Habeas Corpus) was arguably not really a *citizen* right at all, but something much closer to what we might nowadays call a *human* right, since it applied to any persons resident or present on British soil (regardless of whether or not they were 'subjects' of the King's Majesty) (Bellamy/Castiglione 2004: 16, 74).

V. The pre-history of welfare rights

Similar points may be made with reference to the timing and terminology of what Marshall referred to as 'social' or 'welfare' rights, which he portrayed as emerging as a vital adjunct of citizenship only in the early-to-mid-twentieth century. Echoing an historical narrative constructed by many early twentieth-century specialists on social reform, Marshall depicted the long centuries of the English Poor Law as a regime of almost unmitigated *denial* of social rights, and of stigmatisation and administrative discretion; a regime that starkly contrasted with the universal, honourable, and unconditional benefit-entitlements conferred with the coming of old age pensions, social insurance and the post-war welfare state. That this was a viewpoint widely shared by many other commentators of Marshall's generation cannot be denied; yet both recent research and the critical detachment of distance increasingly suggest that this contrast was exaggerated and even in certain respects fictitious. Far from embodying a categorical denial of rights, both English and Scottish Poor Laws had rested upon a fundamental civic entitlement to parish relief, rooted not just in Tudor Acts of Parliament but in common law doctrine as far back as the fourteenth century. And although nineteenth-century administrators had often tried to suppress all knowledge of those common law rights, legal studies of Victorian case law, together with evidence to the 1909 Royal Commission on the Poor Laws, suggest that official obstructionism had often been singularly unsuccessful. Similarly, and again contrary to much misleading later commentary, Victorian Poor Law officers were formally *prohibited* from refusing poor relief to applicants on grounds of 'undeservingness' and 'bad character'. Moreover, recent historical studies of Poor Law administration have increasingly called in question the belief that the Poor Law was at all times meaner, harsher, and more restrictive than its modern-day equivalents. Studies from the seventeenth through to the early twentieth centuries have found that in many areas Poor Law pensions to the aged poor were relatively *more* generous than comparable pensions in the earlier twenty-first century; while quantitative studies of the extent of poor relief have

8 e.g. 'Citizen Chauvelin', in the novels of Baroness Orczy. 'Citizen' also implied in many English contexts, not the wider freedom of the 'free-born Englishman', but limited and exclusive *privilege*, as in the right of borough corporations to confer (usually on wealthy aldermen) the 'freedom of the city'. But that is a too complicated theme to pursue in detail here.

suggested that, even after the notorious tightening-up of the Poor Law in 1834, as many as 50% of the Victorian population would at some time in their life-spans have been dependent on its services(of whom the vast majority would have been orphans and the elderly of both sexes, together with widows and deserted wives) Moreover, explicit disqualification of paupers from franchise rights came in only with the 1832 Reform Act, (an act that also for the first time explicitly disfranchised property-owning women); suggesting again that T.H. Marshall's unilinear accounts of the development of both welfare rights and political rights need to be treated with some degree of historical scepticism and caution (Harris 2002: 409-438).

What is perhaps more surprising than these aberrations of detail, however, is the fact that there were certain important areas of Victorian and early twentieth-century citizenship debates that did not appear in Marshall's account at all, even though they had increasingly figured in, and at times came to define and dominate, public discussion of contemporary citizenship and civic identity. These included the themes of citizenship as an expression of British *nationality*, citizenship as a cement and consolidator of *empire*, and – perhaps most prominently of all - citizenship as a vehicle of *public and private morality*.

VI. Citizenship and nationality

Let us first consider the issue of citizenship in relation to 'nationality'. Down to the early 1800s citizenship in the first of these senses – namely, passive membership of a specific political community - had been determined in Britain, as in much of Europe, simply by the fact of being born in the domains of a particular territorial ruler. Such a passive notion of citizenship was to be dramatically shattered by the ideological conflicts of the French Revolution, which injected into international debate many ideas about citizenship, civil rights, and civic virtue derived from the political discourse of republican Rome. Partly in consequence of and partly as a reaction against these ideas, many European nations in the post-Napoleonic period had moved towards a very different model of 'citizenship', defined by ethnicity, 'nationality' and kinship, usually set out in a formal written constitution, and often involving compulsory military conscription and the duty of the citizens to 'bear arms'. Britain alone in early nineteenth-century Europe retained a largely tacit and passive notion of substantive 'citizenship' (a term very rarely used in this context), as fundamentally coterminous with what came to be known as the 'natural-born subjects' of the monarch (Bellamy/Castiglione 2004: 73-91). But under the influence of free trade, industrialisation, and libertarian notions of internationalism, the 'natural-born subject' was to become increasingly diluted by the implicitly *global* notion that human beings should be free to settle wherever they liked in the country of their choice. Much of this shift was unobtrusively expressed by the informal migration into Britain after 1814 of a growing number of foreign nationals, who simply settled there and lived and worked as British subjects in accordance with the common law doctrine of 'the silence of the laws', without ever changing or registering their formal nationality. But this trend was

also reinforced by certain important innovations in nineteenth-century public policy. The Aliens Act of 1844 opened the way to formal naturalisation of any 'foreign-born person willing to swear allegiance to the British Crown': while the Naturalisation Act of 1870 removed impediments to the full *political* citizenship of all such naturalized aliens.[9] In addition, A.V. Dicey's classic work on *The Law of the Constitution,* first published in the early 1880s, noted quite casually that 'natural-born subjects' also included more than three hundred million people born in the Queen's overseas domains, all of whom had exactly the same 'citizenship' rights as domestic residents (including automatic entitlement to settlement in Britain, rights to poor relief, and, if qualified by property, full rights to the franchise). It is interesting to note that Dicey, scarcely a wild radical, recorded these facts quite casually, with no hint of a sense that they might be in any way contentious or problematic (Dicey 1885 [1915 ed.]: lxxxxi).

None of this dimension of citizenship was to appear at any point in the model set out by T.H. Marshall in 1949; nor did he refer to the mounting anxiety about the relation of 'citizenship' to 'nationality' that had emerged in Britain in some quarters since the end of the nineteenth century. The pressures behind this *fin-de-siecle* shift in conceptions of nationality rights were complex, and had included such factors as international economic depression; large-scale Jewish migration from Czarist Russia; the tightening-up of citizenship laws in the USA and many parts of western Europe; and – for the first time - the promulgation of their own exclusive citizenship laws by the self-governing dominions of the British empire.[10] All this left the low-key mid-Victorian notion of 'implicit' citizenship - as something defined simply by tacit common allegiance to the British crown – in a state of incipient chaos. The outcome of these pressures had been a series of measures that moved significantly away from the mid-19th century liberal-internationalist stance on citizenship, while at the same time falling far short of any coherent definition of who was or was not a British citizen. The Immigration Act of 1905 for the first time introduced official controls, not of immigration in general, but over foreigners deemed by public officials to be 'destitute, criminal or diseased' The Naturalisation Act of 1911 likewise did not formally restrict naturalisation, but hedged it around with a five-year waiting-period and other bureaucratic processes. And an act of 1914 attempted for the first time to introduce a comprehensive code of global British citizenship; a conception that embraced both those born in the King's dominions (the 'natural born subjects') and those not so born, but nevertheless linked to Britain by residence, descent and consanguinity. This extraordinary Act, further extended in the early 1920s, was designed at the time as little more than a gesture of the British empire's cultural and ideological solidarity; but almost by accident it potentially conferred full rights of British citizenship, including the right to

9 This latter act has been seen as prefiguring the claims of certain theorists of the present-day, who see 'citizenship' simply as a universal private passport for individuals moving around on the chessboard of a limitless global economy

10 This latter trend often viewed with dismay by commonwealth residents, who strongly contested the threatened loss of their ancestral citizenship rights in Great Britain.

migrate to and settle in mainland Britain, on something like one-third of the inhabitants of the globe.

VII. The era of 'virtuous' citizenship.

I shall return to empire-citizenship shortly, in the context of the later-1940s. But before I do so, mention should be made of what was perhaps the largest and most striking gap in Marshall's tripartite model of modern citizenship's pre-history. This is the absence of any reference back to the cult of 'active', 'good' and 'virtuous' citizenship – of citizenship as the central axis of a new moral economy – that had pervaded all strands of public discourse in Britain from the later Victorian era through to the Second World war. This is an omission that seems particularly surprising, because an emblematic figure in that discourse had been the idealised, classless, public-spirited 'gentleman' conjured up by Alfred Marshall in the 1880s and 90s – the very figure who was to trigger off T.H. Marshall's own speculations on what modern citizenship was all about. And it was surprising also because an important strand in that late-Victorian moral economy of citizenship had been a vision of social-welfare-based citizen rights, of the kind that the later Marshall was to conjure up in the aftermath of the Second World War. I would not of course wish to argue that the *whole* of that 'virtuous-citizenship' tradition had been exclusively focused on rights to social welfare; indeed in some quarters quite the opposite was true, with economic dependency being viewed by some civic reformers (far more harshly than under the formal letter of the Poor Law) as a moral and civic crime. Late-Victorian and Edwardian rhetoric on 'good citizenship' had encompassed a very wide range of competing theories and goals - among them the inculcation of 'active' citizenship into a new mass electorate, the psychic reinforcement of both private and public 'moral character', the reordering of family and parenting roles, and the promotion of a widespread 'voluntarist' culture of self-government, self-discipline, 'civic duty' and 'public service'. But from John Ruskin's *Unto this Last* of 1862, via the Webbs' 'national minimum' of 1910, through to the Beveridge Report of 1942, there ran a continuous thread that linked all these goals to the theme of comprehensive welfare rights, under the umbrella of what Ruskin had very aptly called a 'citizen's economy'. This tradition had unequivocally put forward the claim that anyone who worked, reared families, helped neighbours, or performed public service in whatever capacity was entitled to full citizen rights. Such conceptions were very prominent in interwar bodies like the National Council for Social Service and the Ethical Union (in both of which Marshall himself had been an active member); and they were central in the thought of the LSE's Department of Social Science, of which Marshall at the time of his Cambridge lectures was still the departmental head. Indeed, the concerns of the 'good citizenship' movement were so closely attuned to many of Marshall's own interests that it seems somewhat surprising that he never once referred to it in *Citizenship and Social Class.* This missing link brings me to a further set of questions, which concern Marshall's analysis of citizenship, not just in relation to past history but to newer trends in British cul-

ture and society that formed a backcloth to (and also found expression in) his Cambridge lectures of 1949.

VIII. 'Ethics is a bore'

Many contemporaries remarked on the very rapid changes in the style of social and civic language that were occurring in Britain during the 1940s decade. Barbara Wootton noted in 1945 that exhortations to 'virtuous' citizenship, resonant of the interwar years, had suddenly gone quite out of fashion, indeed were seen as mildly offensive, because all citizens were now deemed automatically 'virtuous' on account of their war service. And Beveridge likewise, when writing his book on *Voluntary Action* in 1947-8 found that the messianic language of citizenship and public service that he had deployed so effectively in his Social Insurance Report of 1942, only five years later had gone completely cold and dead (Beveridge 1948; Wootton 1944). Public speeches by politicians became markedly more down-beat and matter-of-fact, not just because the prosaic Mr Attlee had replaced the pontifical Mr Churchill, but because visionary rhetoric of a kind that a few years earlier had sustained the national 'will to survive' now seemed vacuous and vague. Historians have explained these changes in variety of ways: such as post-war reaction against the prolonged psychic tensions of war, the rapid advance of positivism and social engineering in many areas of public life, and the intellectual collapse of the kind of 'philosophical idealism' that had underpinned much public rhetoric, academic political theory, and in particular debates on citizenship, since the later-Victorian age. The very term '"Society" should be banished in the interests of clear thinking', wrote the Oxford philosopher, J.D. Mabbott, who had been Marshall's close friend and colleague in the research department of the wartime Foreign Office, '... there is no defence for the use of this term 'Society' as one of the types of unit with which sociology has to deal' (Mabbott 1948 [1958]: 83).[11] And the *Cambridge Journal* at the very moment of Marshall's Cambridge lectures encapsulated the revolution in recent social philosophy even more succinctly: the language of civic duty was 'dead' and 'buried' and 'Ethics is a bore'(Lewis 1949).

This new, much more laconic, language of the post-war world formed part of the cultural backcloth to Marshall's Cambridge lectures of 1949, and helps to explain why he so firmly distanced himself from the plethora of movements for 'good citizenship' that had been so vocal and prominent in Britain during the interwar years. Moreover, even before the war Marshall as a sociologist had always been at one remove from the more high-flown realms of that earlier civic-idealist tradition. Like his LSE mentor, Leonard Hobhouse, he shared the view of 'idealist' thinkers that logical argument required certain a priori categories of thought; but, again following Hobhouse, he also

11 This little book, written by a very distinguished Oxford philosopher, was the best-selling post-war work on introductory political theory in Britain until the 1970s. If Margaret Thatcher as a graduate student in Oxford in the late-1940s either read, or imbibed by osmosis, any single work on contemporary ideas about 'Society' it would almost certainly have been Mabbott's.

held that, in the day-to-day practice of sociology, ideas and principles no less than institutions and processes were simply clusters of 'social facts', to be explained and studied in context. This can be seen very clearly in Marshall's pre- and post-war writings on social class, where he had argued that 'class' per se was a mere taxonomic category, universally applicable to all complex settings; whereas '*social* class', contrary to the Marxian view, was a descriptive term with no fixed or objective content – it referred simply to subjective 'identity groups' (i.e. people who felt themselves to have common interests) whose boundaries and functions constantly shifted according to circumstance.[12] Whether this was an entirely tenable viewpoint, and whether Marshall himself consistently adhered to it, is perhaps open to question; but it was a way of thinking very much in tune with the new pragmatic approaches to social problems and citizen rights prevalent in post-war Britain.

This populist reaction against 'idealist' pomposity was also to be seen in the substantive *content* of Marshall's Cambridge lectures. Recent historiography of the 1940s seems in danger of overlooking how powerfully attractive the economic goals of Marxism were at that time, and how torn were many impeccably democratic and reformist figures between admiration for the Soviet Union's social and practical achievements and horror at its political *methods*. Within this context the message of *Citizenship and Social Class* may be set alongside the *Beveridge Report* and J.M. Keynes's *General Theory* in offering what appeared to be a radical, redistributive, constitutionalist - but also 'materialist' - alternative to the attractions of Marxism. The underlying core of Marshall's argument, it will be recalled, ran something as follows. Some form of class-stratification, in the purely taxonomic sense of 'class', is inevitable in any society where there is exchange of goods and services. It necessarily entails a degree of market inequality, which can to some extent be mitigated by political intervention; but enforced equalisation of rewards beyond a certain point is self-defeating because it undermines productive processes. There are, however, important sources of inequality other than class, such as lack of access to the privileges of citizenship. Extension of *legal* and *political* citizenship rights over the previous two hundred years had gone some small way towards counteracting inequalities rooted in economic function; but recent legislation had generated a much more capacious and fully-developed version of citizenship in the form of universal entitlement to social insurance, education, health and social services. Thus a new form of social equality had come into being, based on equal access to full citizenship in the form of material social security. This new form of equality rooted in *social* rights, so Marshall argued, would substantially counteract and mitigate continuing inequalities inherent in the sphere of economic production. But there was no reason at all why these two quite different forms of resource-allocation should not co-exist together, the one generating the resources required to maintain and finance the other (Marshall/[Bottomore 1950 [1992]: 9-43).

12 Marshall Papers, 2/16, broadcast on 'Going Up and Down in the World, 2 June 1949

IX. International and global 'human rights'

I want finally to turn to one other theme on which Marshall was puzzlingly silent in 1949. This relates back to my earlier points about the virtual absence from his historical account of any reference to citizenship as a question of *nationality* - of who had a right to live or settle as a citizen or resident in any particular country. No one can write about everything, of course. But Marshall's wartime work in the international branch of the Foreign Office, his post-war secondments to Germany, and his own very strong interest in European society and culture must have meant that he was thoroughly familiar with the very intensive discussions of citizenship in the context of human rights, nationality claims, refugee problems and cross-national migration that were going on in many international organisations throughout the war and its aftermath. And his pre-war involvement with bodies like the British Ethical Society makes it likely that he would have known of the existence of a nascent 'Human Rights' movement in wartime Britain (associated with such diverse figures as Bishop George Bell of Chichester, H.G, Wells, and the Council for Education in World Citizenship). Eugenia Low's thesis on Marshall points out that one of Marshall's specific remits for the Foreign Office towards the end of the war had been to suggest ways in which British values and culture might be presented to the German people (in the event of an Allied victory) in ways that were attractive, non-triumphalist, and respectful of the positive aspects of German civic traditions; and Low suggests that Marshall's post-war emphasis on *social* rights (as an area where historically the Germans had been the outstanding international pioneers) may have stemmed from his thinking on this subject (Low 2000: 98-101). This seems to me a very interesting and imaginative speculation, but unfortunately there is no actual documentary evidence link these two moments together. Indeed, there is no reference of any kind in Marshall's published works to the numerous international debates on rights and citizenship issues that were taking place in Europe during the post-war period; nor is there any mention or these movements in his private papers or in his fragments of autobiography.[13] His Cambridge lectures were delivered just a few months after the passage of the 1948 British Nationality Act, and just a few weeks before the Universal Declaration of Human Rights of 1949; and the published version of his lectures exactly coincided with the public discussions that led to the European Convention on Human Rights (Harris 2004: 78-81; Judt 2005 [2010]: 31, 155, 242, 729-733; Simpson 2002: 156-275). The British Nationality Act in particular was potentially of absolutely central importance to a theory of citizenship which aimed to ground social relations in equality of status and universal access to welfare rights. This Act may also be seen as pursuing the earlier Edwardian objective of trying to arrive at a simple comprehensive definition of British civic identity, incorporating subjects of the British crown throughout many parts of the globe. More importantly the Act confirmed the right of abode in Britain

13 This absence of reference to European matters in Marshall's work at this time is so total as to suggest deliberate exclusion. A possible explanation is that his hosts and employers in the Allied Control Commission and British High Commission may have prohibited any such comment.

itself of more than 800 million Commonwealth residents – an undertaking entered into with no glimmer of an expectation that this might entail large-scale inward migration, but simply to facilitate cultural, legal, economic, and family ties with Britain's former empire.[14] Likewise the Declaration of Human Rights was endorsed by Great Britain and most other signatories with very little understanding of its long-term citizenship implications, but simply to meet what was believed at the time to be the tragic but transient problem of temporarily 'displaced' persons in the post-war and cold-war world. Nevertheless, it is hard to believe that T.H. Marshall, with his strong sense of the interaction between social movements, policy and history, was wholly unaware of the seismic forces that were reshaping, not just abstract normative ideas, but long-term international migration movements, social and political rights, and patterns of future history. In all these areas, historical influences and outcomes in the international arena seem unpredictable and open-ended, offering much scope for further enquiry and research.[15]

X. An overview

How far was Marshall's perception of the new character of socio-economic relationships at this time endorsed by contemporaries? And how influential was his emphasis on 'citizenship' in the social and political thought of post-war Britain? Marshall himself supported his analysis by citing recent surveys of public opinion which suggested that, despite post-war shortages and privations, a substantial majority were much more contented with their lot and felt Britain to be a much fairer and more inclusive society than in the 1930s, or in any earlier period (Marshall/[Bottomore 1950 [1992]: 47-49). The wage-restraint practised by trade-unions during the immediate post-war years likewise lent support to this view; and despite the change of government in 1951, consensus and contentment continued to be the keynote of surveys of pubic opinion carried out in the early-1950s. Prominent radical intellectuals like Tawney and Cole shared Marshall's preference for equality of status through citizenship rather than class struggle, and (despite the fact that both were well to the left of Marshall in political convictions) they also shared his implicit view that the new 'classlessness' to be enjoyed by the mass of the people was to be a 'middle-class classlessness' (involving universal access to education and high culture) rather than a working-class one (based on different kinds of occupation) (Jewkes 1948; Robbins 1951). Marshall's total by-passing of personal 'character' as an explanation for social problems also closely fitted the new temper of welfare administration identified by Barbara Woot-

14 For the first time in British legislation in 1948 the 'subject' was deliberately replaced by the 'citizen'; not because there was seen at the time to be any essential difference between them, but because 'citizen' was deemed more acceptable to those of ambiguous loyalties, such as the Quebecois in Canada and Irish people resident in Britain.

15 It does seem more than a little puzzling that Marshall at no point made even a passing mention to the potential relevance of these European documents to his central theme, but it is possible that his posts in the Allied Control Commission and British High Commission may have inhibited such comment.

ton, while his emphasis n the citizen as the agent of mass consumption was widely seen as the sociological corollary of Keynesian economics. In these early post-war years criticisms of Marshall's position came largely from the right, from economists like John Jewkes and Lionel Robbins, who challenged the view that it was possible to run two totally different systems of resource-allocation (namely welfare and the market) in watertight compartments, without the one inevitably distorting and subverting the other.

The question of Marshall's longer-term influence on post-war thought on these matters is, however, more problematic. Some commentators have seen Marshall's model of citizenship as pervading public discourse till the end of the 1960s, while others have claimed a continuous Marshallian presence in not just in socio-political thought but in public policy down to the present day (Bulmer/Rees 1996: 1-23, 269-283). And more recently, there have been attempts to incorporate Marshall into a modern fundamentalist 'human rights' position. contribution I myself cannot quite find the evidence for any of these views. As I see it the impact of *Citizenship and Social Class,* as both a reflection of and influence on public policy in Britain, began to dwindle in the later 1950s, and only seriously resurfaced as part of a wider resurgence of interest in citizenship issues during the 1990s. Over the same period Marshall's post-retirement writings on 'social policy' sold by the hundreds of thousands, whereas his lectures on citizenship, though reprinted as part of his collected essays in 1963, were not again republished in Britain until 1992. (although, interestingly, they enjoyed a much more sustained readership in the USA). This fate was by no means exclusive to Marshall, but with few exceptions was shared by all strands of 'citizenship' thought in Britain throughout much of the later the twentieth century. Indeed the declining enthusiasm for 'citizenship' themes was already apparent in certain quarters in 1949, and it was a tribute to the elegance and unstuffiness of Marshall's ideas that they were for a time able to survive the rhetorical wreck.

There were, moreover, other reasons for reaction against Marshall's theory of citizenship, and against notions of 'citizenship' in general, than the mere swing of intellectual fashion. The late-1950s and early-60s brought a a large-scale resurgence in Britain both of liberal-economic claims that universalist welfare was sucking away resources from investment in growth, and of Marxian claims that the clash of structural class-interests could not just be painlessly bought off by universalist social welfare. At the same time empirical studies of poverty began increasingly to question the effectiveness of the universalist social policies so optimistically launched in the late-1940s, while community studies suggested that the sense of social solidarity and convergence characteristic of the post-war era was dwindling. The 'welfare rights' movement of the later 1960s and 70s, sometimes seen as a direct legacy of Marshall's ideas, was in fact almost the opposite, in that it campaigned for public support for the very poor - not as a product of universal *contractual* insurance, but as a *legal and civil* right (Brooke 1979; Lynes 1969). (This was an approach that tapped into a much older tradition of trying to radicalise and democratise the Poor Law, thought probably few rights theorists of the 1970s were aware of that). And perhaps most damaging of

all was that the assumptions behind Marshall's theory of citizenship were implicitly challenged from within his own camp by his apostolic successor at the LSE, Professor Richard Titmuss. Titmuss never criticised Marshall by name; but his work of the early 1960s, particularly 'The Social Division of Welfare', and *Income Distribution and Social Change*, potentially drove a coach-and-horses through Marshall's vision of a system of 'universalist' social rights that could radically counteract class inequalities, without excessive interference in inheritance, property and markets (Titmuss 1962). Ironically enough, one of the very first commentators to remark on the latent resurgence of these tensions had been T.H. Marshall himself, when commenting on the critique of universalist social welfare, launched by Ian Macleod and Enoch Powell, as early as 1952. Marshall wrote a brief but brilliant comment on this question for the *Sunday Times*, defending universal contributory insurance as an institutional embodiment of cross-class solidarity, whose invisible human and societal benefits could not be 'rationally' measured simply in terms of 'costs' . But then – perhaps characteristic of Marshall's longer career – he carried the argument no further, until he returned he returned to the subject many years later in the early 1970s.[16]

The central narrative of 'citizenship' was thus to evolve over the next half-century, not just in Britain but in many other European and extra-European countries, along lines rather different from those explicitly envisaged by T.H. Marshall in 1949. It was increasingly to centre, not on citizenship as a medium of welfare and class harmony within a given nation-state, but on much more global questions of residence, migration, internationalism, and human identity: on who was entitled to migrate across national borders and who was not; and on what the English Poor Law since mediaeval times had called 'rights of settlement'. In all of this, Marshall's concern with promoting an enhanced notion of citizenship through the medium of universalist welfare provision *within* a national state, may perhaps appear at the present time to be of little more than parochial and antiquarian interest. And likewise, his belief in the 'relativity of rights', and his scepticism of 'fundamental' rights divorced from an institutional context, may seem out of tune with certain strands in human rights discourse of the present day.[17] Fashions in how to assess historical significance, however, can themselves be subject to unexpected re-evaluation; and I want to conclude by suggesting that something like this has recently been happening to the thought of T.H. Marshall. For the past four decades it has been almost an article of faith among intellectual historians in English-speaking countries that 'great texts' in social and political theory can only be understood and interpreted 'within the context of their own times', with attempts to apply them outside those times inevitably resulting in bad scholarship and linguistic anachronism. Recently, however, there has a marked shift away from that austerely reductionist vantage-point. Social, political, and even legal theorists now increasingly talk, not just of the subjective 'intentions' of the authors of great texts, but of the 'enhancement' or 'enrichment' of those texts by the ongoing processes of

16 Marshall Papers, 4/2, correspondence in the Sunday Times, 20-25 Jan.1952

17 Marshall Papers, 2/14, 'The Philosophy and History of Need', f.14. Marshall Papers 2/17, 'The Welfare State – the Next Phase ', f.88.

historical interpretation (yielding ideas and insights often going far beyond the intentions of their original authors). T.H. Marshall himself, when wearing his historian's hat, laid great stress on ways in which, not just formal and objective citizen rights, but the intellectual interpretation of 'rights', 'citizenship', and indeed social and legal concepts more generally, had evolved over time in different socio-political contexts. If vast inequalities *between* races and nations now seem to us no less pressing and problematic than internal inequalities *within* nation-states seemed in the late-1940s, then it may be that the current revival of interest in Marshall's model of citizenship (as an elastic and relativistic concept that adapts and unfolds over time) is no mere quirk of academic fashion. It may indicate on the contrary that – 'enhanced' and 'enriched' by changing historical circumstance and by increasingly 'global' consciousness – T.H. Marshall's notions of citizenship, social rights and civic status, designed to meet the austere circumstances of post-Second World war Britain, are as relevant to current discourse (and possibly even more so) than they were when formulated in his Cambridge lectures of 1949.

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