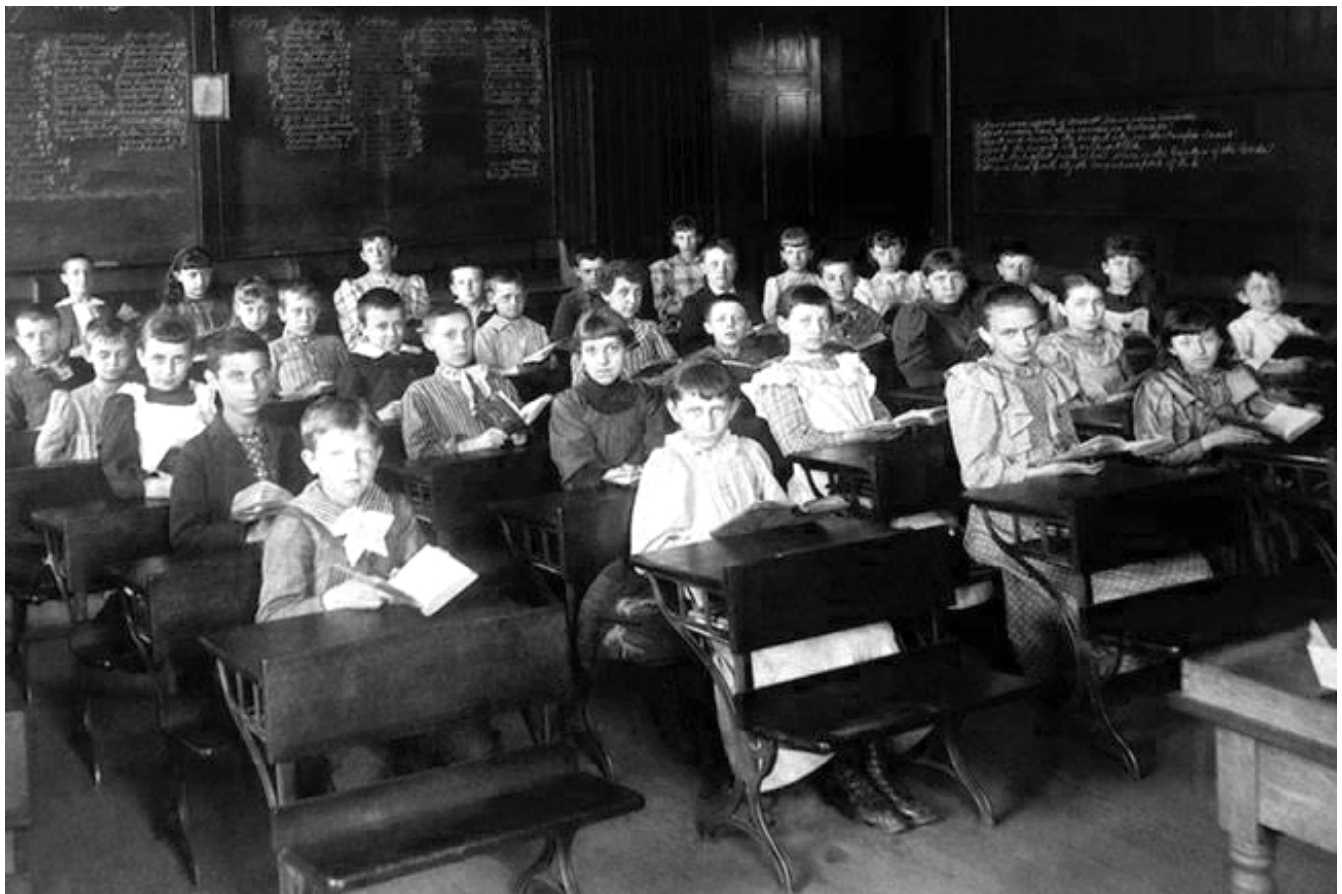


Education

Geoffrey Chorley discusses the Elementary Education Act of 1870, the first piece of legislation to deal specifically with the provision of education in Britain

Gladstone and the 1870 E



One of the new board schools established under the 1870 Education Act

THIS ARTICLE WILL examine the background to the passing of the Elementary¹ Education Act of 1870 in Gladstone's first ministry, paying particular attention to the religious difficulty within English education and to the compromise of the Cowper-Temple clause in that act, which provided a partial solution to this problem. The subsequent recriminations about clause 25 of the act will also be briefly discussed. The article will show how, despite the demands of the Irish Land Bill, Gladstone intervened in the Education Bill at crucial moments, both in Commons speeches and in private communications.

These interventions demonstrated his keen understanding of the subtleties of the religious difficulty and his own preferred solution.²

The beginning of Gladstone's first ministry

Following the Liberal victory in the general election of November–December 1868 Gladstone succeeded Disraeli as prime minister. Sixty-nine Nonconformist MPs sat in the 1868–74 parliament,³ and the Liberal success had raised the hopes of the Nonconformists for further religious equality with the Church of England.⁴

Elementary Education Act

Compulsory church rates had been abolished a few months before the election by a Conservative government and the Nonconformists hoped there would be significant educational reforms. In his youth Gladstone had been influenced by evangelical Christianity. But with the rise of the Tractarians or Oxford Movement, a group of some High Church Anglicans beginning in 1833, who sought to recall the Church of England to certain older beliefs and practices and emphasised sacraments and ritual, Gladstone had moved to a more High Church theological position, although he could not be considered a Puseyite or ritualist. This did not, however, prevent a growing Nonconformist personal respect for Gladstone.⁵

The general election of 1868 had been fought on the question of Ireland⁶ and, on learning that he would be invited by the Queen to form a government, Gladstone is reported to have commented, 'My mission is to pacify Ireland.'⁷ Thus, within two months of taking office, the Irish Church Disestablishment Bill of 1869 was brought in; the Irish Land Bill was introduced in 1870. Reform of the War Office was also required. But already in 1867, before becoming prime minister, Gladstone had also identified education as a priority.⁸

The problem of elementary education in the nineteenth century

The struggle to extend elementary education for working-class children was one of the great social issues of the nineteenth century and at its core was the question of funding. From 1833, government grants to schools began to be channelled through two voluntary societies. The larger of these two bodies was the National Society for Promoting the Education of the Poor in the Principles of the Established Church, that is the Church of England, (hereafter the National Society) founded in 1811. The smaller organisation was the British and Foreign School Society (hereafter BFSS), whose

origins go back to 1808. The BFSS was committed to religious teaching without any distinctive denominational creeds, a policy known as unsectarianism or undenominationalism. However, in practice it increasingly drew its support from the Dissenting churches. From 1839 schools receiving grants through the two voluntary societies were inspected by Her Majesty's Inspectorate. Other schools operated without government funding or inspection, either because they did not meet the criteria for a grant, or because they rejected government aid on principle. Sponsors of the latter type were known as *voluntaryists* and typically came from Dissenting churches.⁹

In the second half of the nineteenth century, concern about economic competition from other increasingly powerful industrialised nations such as the United States and Prussia led to pressure to expand education. Additionally, children without school places roaming the streets, particularly in urban areas, were seen as being in moral danger; education, it was argued, was cheaper than prison.

Both governments and individual MPs unsuccessfully attempted to pass legislation to set up more schools, either for a limited local area such as cities or boroughs, or on a national basis. This failure was partly due to the so-called religious difficulty in English education. It was agreed by most politicians and clergy at the time that education must be founded on Christianity, but they could not agree whether the religious instruction in new schools could include the denominational teaching of the Church of England such as its catechism, or must be restricted to some presumed common core of Christian doctrine, although it was often asserted that these denominational differences did not matter to ordinary people. While, in theory, such distinctive teaching could also have been that of Dissenting denominations, in practice the dilemma was focused on the Church of England. The financing and control of new schools was a related problem. To supplement school fees, proposed schemes typically planned

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to levy a rate as a form of local taxation, which was liable to be unpopular. This was particularly sensitive before and after the abolition of compulsory church (that is, Church of England) rates in 1868, which had been a long-standing grievance of the Dissenters, or the Nonconformists as they were increasingly called in the later nineteenth century. Other issues with rating included the variation between areas in what could be raised from a rate, and objections to ratepayers being forced to pay for schools that taught religious doctrines to which they had conscientious objections.

The Newcastle Commission 1858–61 and after

Following the failure of a number of education bills in the 1850s, Sir John Pakington, Conservative MP for Droitwich, on 11 February 1858 secured the establishment of an Education Commission, chaired by the Duke of Newcastle. This Newcastle Commission, which reported in 1861, recommended the establishment of county and borough education boards, which would be empowered to levy a rate to complement central government education grants from the Committee of the Privy Council.¹⁰ This prefigured a central feature of the future 1870 Elementary Education Act. But Palmerston's last government, which was in office when the report was issued, was unwilling to face the challenges of the sectarian anguish on local rates. The report argued that parents were not especially concerned with the religious difficulty: for them, it was much more important that a school was efficient in providing secular knowledge as opposed to religious teaching.¹¹ Moreover, most parents were unlikely to be clear about distinctive denominational differences. But the report wisely noted that, even if it were agreed that the religious difficulty was not of any great moment amongst the parents, it was amongst the sponsors of schools that a real difficulty existed.¹²

1867 was a crucial year in the struggle to advance education. In this year the Second Reform Act expanded the franchise to include urban male householders and became associated with the (inaccurately cited) slogan 'We must educate our masters'. Edward Baines, one of the leaders of the voluntarist movement, conceded in a speech to the Congregational Union in Manchester on 11 October 1867 that their twenty-year policy of refusing government aid for their schools had failed and that the financial support of the state was necessary to expand education.

Gladstone's alleged lack of interest in education

To some writers it has seemed surprising that Gladstone should be remembered for successfully overseeing an elementary education bill. Roy Jenkins's biography made the sweeping statement

that Gladstone was uninterested in education.¹³ Colin Matthew argued in a more nuanced form that: 'Gladstone had shown little interest in education in the 1850s and 1860s, save for reform of the universities and public schools.'¹⁴ Gladstone had been a loyal and assiduous participant in parliamentary select committees on education in the 1830s and early 1850s. He was closely involved with the National Society in the late 1830s. The draft proposals in a document entitled *Proposals for improving and extending National Education through the agency of the "National Society, for promoting the Education of the Poor in the Principles of the Established Church"*,¹⁵ probably to be dated May 1838, appear to be very much an initiative not only of Gladstone himself but also of members of his family. In the mid-1840s Gladstone's practical commitment to elementary education, as opposed to committee work, was shown by his teaching in a ragged school near Covent Garden.¹⁶ On 11 February 1852 Gladstone gave by far the longest of the ten speeches at the second reading of the Manchester and Salford Education Bill and later that year he served on the select committee on the bill, attending eleven out of fifteen meetings. On 11 April 1856 he made a substantial speech in a debate on education resolutions introduced by Lord John Russell. In the 1860s, Gladstone exchanged perceptive comments in correspondence with the outspoken Archdeacon Denison¹⁷ and with Lord Granville, Lord President of the Council, about the Privy Council requirement to include in school trust deeds a conscience clause exempting children of Dissenters from the teaching of the Church of England catechism.¹⁸ It is certainly true that Gladstone's intensive preoccupation with elementary education in the late 1830s was not matched in the later decades. But, with the possible exception of 1858, Gladstone's diaries record that he attended meetings, corresponded and read publications on education each year from 1850 until December 1868.¹⁹ So by the time Gladstone became prime minister, he was well informed about the education question.

The genesis of the Elementary Education Bill

In October 1869, despite being closely involved with the Irish Church and Land bills, Gladstone took the initiative on elementary education by inviting Earl de Grey, Lord President of the Council and in the cabinet, and W. E. Forster, responsible in the Commons as Vice-President of the Council, to frame an education bill. Forster, however, did not serve in the cabinet until July 1870 when the most difficult period of the bill's progress through the Commons was already past.

Forster first drew up a memorandum to prepare for a bill. Rather than continue control of schools from central government through the existing Committee of the Privy Council on Education Forster opted for localism. But instead

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of multi-purpose local authorities, ad hoc local school boards, which would not be universal, would be set up to create new schools where needed. Forster's preferred option for religious teaching in new schools set up by school boards was undenominationalism.

It has been wrongly argued that Gladstone had little significant involvement in the debates leading to the successful passage of the 1870 Education Bill. Morley's biography, for example, downplayed Gladstone's involvement with the bill and his disagreements with colleagues.²⁰ But, while the detail of managing the bill was left clearly in the hands of de Grey in the Lords and Forster in the Commons (and, of those two, primarily Forster), Gladstone had a regular and decisive impact on the bill's development. Indeed his first significant intervention was to block Forster's preferred option for undenominational religious teaching as a solution to the religious difficulty in the initial version of the memorandum of autumn 1869. He wrote to de Grey:

The proposal to found the State schools on the system of the British and Foreign Society would I think hardly do. Why not adopt frankly the principle that the State or the local community should provide the secular teaching, & either leave the option to the Ratepayer to go beyond this sine qua non, if they think fit, within the limits of the conscience clause, or else simply leave the parties themselves to find Bible & other religious education from voluntary sources?²¹

By 1870 a conscience clause was increasingly used in Anglican schools to allow children of Non-conformist parents to be withdrawn during periods of distinctive Anglican church teaching or worship. Gladstone later denied that there had been differences of opinion between himself and Ripon (de Grey became known as Marquess of Ripon in 1871) and Forster about the bill, but the archival evidence shows that this is not correct.²² Consequently, Forster soon revamped his memorandum to satisfy Gladstone and brought in his Education Bill on 17 February 1870. The aim of the bill was to identify areas where there was a shortfall of school places and, if the voluntary sector was unable to fill those gaps, to set up new schools. Funding would come from school fees, the parliamentary grant, and rates. Boards could choose to make school attendance compulsory and could also decide whether religious instruction could be taught in their new schools. But the bill made no reference to the character of any religious instruction in these new schools, relying mainly on a conscience clause to address the religious difficulty, backed up by prohibiting schools from insisting that children either attended, or desisted from attending, any particular place of worship on Sundays.²³ However, the Nonconformists regarded this conscience clause as inadequate since it would have left them in an inferior

position and, in agricultural districts, it was feared that parents would be unwilling to risk the opprobrium of their employers by withdrawing their children from Anglican teaching and worship.

Gladstone and the influence of W. F. Hook

Colin Matthew has argued²⁴ that Gladstone's reaction to the first version of Forster's memorandum in autumn 1869 and his preferred solution to the religious difficulty in education were rooted in a public letter, published in 1846 by his friend Walter Hook, who was then vicar of the sprawling industrial parish of Leeds and later dean of Chichester.²⁵ Gladstone began to read Hook's pamphlet on 9 July 1846 and finished it on 12 July. The diary also records that he wrote to Hook on 12 July.²⁶ In preparation for the debates on the Elementary Education Bill he later reread the pamphlet on 14 April 1870.²⁷ Hook was writing in the aftermath of two failed attempts by governments of opposing political complexions to increase the role of the state in providing education for working-class children. In 1839 Melbourne's Whig government had tried to establish a government normal school (an institution for the training of teachers) providing undenominational religious education. This had been thwarted by the Church of England. Then in 1843 Sir James Graham, the Conservative home secretary, unsuccessfully attempted to pass a Factory Education Bill, but met overwhelming opposition in the country from the Dissenters.

Hook therefore sought to extend education, but, to avoid the religious difficulty, he proposed another way for children to benefit from a truly religious education. As a counterpoint to voluntarism, he envisaged the state providing only literary and scientific education;²⁸ it would therefore not be responsible for directly providing any religious teaching, ensuring only that all children received religious instruction. Hook would require children to attend a place of worship on Sundays according to parental choice and then to produce a certificate of this Sunday attendance to the weekday school. This, in fact, echoed the BFSS. But, secondly, Hook went beyond – and indeed against – the BFSS system in proposing to use the weekday school on Wednesday and Friday afternoons for denominationally distinctive religious teaching. As far as demands on the clergy were concerned, Hook argued that the state funding of schools under his scheme would relieve clergy of the need to raise funds to set up or maintain schools and thus free them to work more intensively in the weekday schools. Hook denied that he was a reductionist who was trying to cut out the influence of religion in education; he wrote, he said, as a High Churchman and one of his concerns was to improve the quality of the specifically Anglican teaching in schools supported by the National Society.

When we compare Hook's proposals with Gladstone's comments about Forster's

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Key figures in the Education Act debates:

W. E. Forster (1818–86), Vice-President of the Council

George Frederick Samuel Robinson, 3rd Earl de Grey, later 1st Marquess of Ripon (1827–1909), Lord President of the Council

Walter Farquhar Hook (1798–1875), Vicar of Leeds, Dean of Chichester



memorandum in autumn 1869, there was an important difference between them: Gladstone did not support the compulsory connection between school and church in Hook's scheme. Diverging from Forster, Gladstone did support Hook's view that the teacher of secular instruction could at other times give distinctive denominational teaching and, in Gladstone's view, a community might wish to use school premises for this purpose, but this was by no means a requirement as in Hook's scheme.²⁹ Thus, although they both shared the idea of a state which provided only secular education, Gladstone's unwillingness to enforce additional religious teaching made his version of this plan significantly different from Hook's.

The second reading of the bill

On 9 March 1870, shortly before the second reading of the bill, Gladstone received a delegation of over 400 members of the National Education League, a Radical pressure group seeking universal, free, compulsory and unsectarian education. They expressed particular concern about the freedom for school boards to determine the character of religious instruction in their areas. Thus the second reading debate, which began on 14 March, was dominated by an amendment from the Birmingham MP, George Dixon, who, notably, was an Anglican:³⁰

This House is of opinion that no measure for the elementary education of the people will afford a satisfactory or permanent settlement which leaves the question of religious instruction in schools supported by public funds and rates to be determined by local authorities.³¹

It was unusual for an amendment to be tabled at the second reading since this procedure was often designed to reject a bill at an early stage. Forster appealed for support for the bill by portraying it as reflecting the Radical programme of trusting municipal government to be guided by the ratepayers.³² Gladstone also played a decisive role at this stage by personally imploring Dixon to withdraw his amendment, but, knowing that the bill was supported by the Conservatives, he gave no hostages to fortune about changes to the bill:

We do not anticipate any serious attempt to transform the Bill. If such efforts were made, we would not be parties to it. But we freely admit that some alterations may be made ...³³

After Dixon withdrew his amendment, there was then a long delay before the committee stage of the bill in June. This may have been due to the challenges posed by the Irish Land Bill and Gladstone's desire to try and hold the support of Non-conformist MPs.³⁴

Discussions behind the scenes

In the immediate aftermath of the second reading Gladstone showed little awareness of the potential difficulties for the bill. On 24 March he wrote to Lord John Russell in optimistic vein;³⁵ by late March, in a letter to Cardinal Manning in Rome, he identified the greatest danger for the bill as coming from the secularists or, as he termed them, the unsectarians.³⁶ Gladstone's imprecision here is surprising; Dixon had earlier distinguished the two terms in his opening speech at the second reading, although the distinction he made might not have been universally agreed:

The difference between an unsectarian and a secular system appeared to be this – that in both you would exclude all Christian dogmas, but in an unsectarian system you would not have to exclude Christian precepts.³⁷

But Gladstone's earlier optimism had finally evaporated when he wrote again to Russell on 12 April: 'We have great difficulties.'³⁸ Yet, despite this acknowledgement, even in mid-May Gladstone continued to resist the pressure for changes to the bill from de Grey and Forster, since on Saturday 21 May the cabinet agreed only to amendments on the conscience clause (see below) and on the election of school boards. The original plan outlined by Forster in February was for the electoral body for the boards to be either the town councils, or the vestries, a unit of local government that originally combined secular and ecclesiastical responsibilities. The vestries declined in the nineteenth century with the rise of local boards with rating powers, for example for health. It was this model of a board that was now chosen for the new schools envisaged under the Education Bill. It was proposed that the boards would be directly elected: in the towns by the burgesses (those entitled to vote in municipal elections including those not entitled to a parliamentary vote and many women) and in parishes by the ratepayers.

De Grey and Forster had prepared two draft amendments on the content of religious instruction and presented them to the cabinet on 13 May 1870:³⁹

The Bible alone shall be used as the text for the instruction in religious subjects given in the school, [unless the Education Department, upon the request of the school board, permit the use of any religious catechism or formulary.

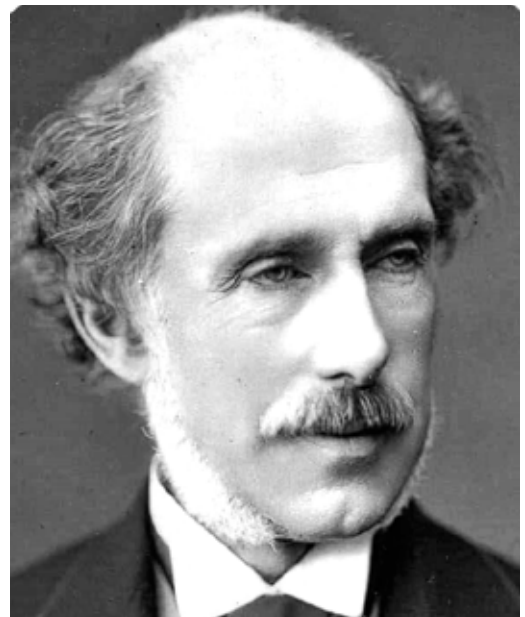
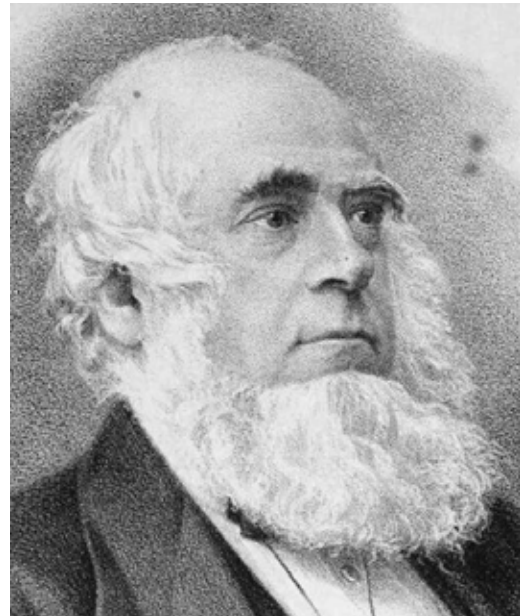
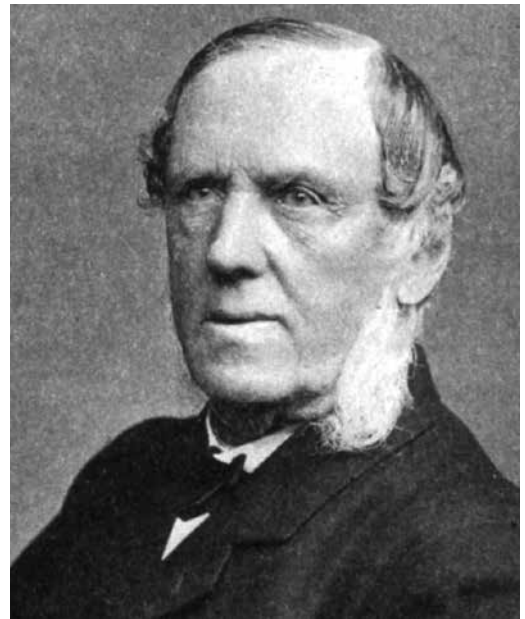
The Education Department shall cause to be laid before both Houses of Parliament in every year a report stating the cases in which they have been requested by any school board to permit the use of any religious catechism or formulary, and their reasons for giving or refusing such permission.]

Key figures in the Education Act debates:

George Dixon (1820–98), MP for Birmingham

Rev. Henry Richard (1812–88), MP for Merthyr Boroughs

William Cowper-Temple (1811–88), MP for Hampshire South



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In effect, Forster was here returning to the spirit of the first version of his October 1869 memorandum, which Gladstone would not at that time support. An alternative proposal was also included:

No religious catechism or formulary shall be used as the text for the instruction in religious subjects given in the school, [except with the consent of the Education Department, upon the request of the school board.]⁴⁰

Gladstone was reluctant to see the government put in an amendment at that stage, and in response drew up his own memorandum of 28–9 May 1870 on the religious difficulty, which he sent to Granville, his close ally, colonial secretary and leader of the House of Lords, on 30 May. Despite the proposals of de Grey and Forster, Gladstone continued to argue against the state's taking any responsibility for the teaching of religion and incorporating undenominationalism because of the difficulty of defining it adequately in law.

Ironically, Gladstone must have sympathised with the Welsh Nonconformist MP Henry Richard, who led sixty-two MPs to vote to allow the various denominations access to schools to teach their own beliefs. Gladstone himself preferred this solution rather than the Cowper-Temple compromise, but their motivations were diametrically different: Richard was opposed to denominational schools, whereas Gladstone wished to protect the integrity of distinctive Anglican doctrinal teaching.⁴¹

However, the Liberal Party was now at odds with the Liberal government.⁴² Although Gladstone in private continued to urge the secular solution for the new board schools,⁴³ the need to save the bill forced him to bow to a majority at the cabinet meeting on 14 June and accept an amendment tabled by the Liberal MP for South Hampshire, William Cowper-Temple:

no religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school.⁴⁴

This may initially appear to be very similar to the formulation in a draft bill of the National Education League, which laid down that no creed, catechism or tenet distinctive of any denomination should be taught in board schools. Cowper-Temple's formulation did not include reference to tenets, but mentioned only catechisms and formularies, of which the outstanding example for the Church of England would be the Thirty-Nine Articles. Both catechisms and formularies were written documents; tenets, by contrast, would be considered as oral. The Cowper-Temple amendment was thus designed to avoid only certain written material in teaching children.

The bill in committee

In his Commons speech on 16 June Gladstone announced several measures to mitigate the objections to the bill. The conscience clause would be strengthened by limiting religious instruction to fixed hours; rates would be applied only to secular instruction; the religious difficulty would be addressed through Cowper-Temple's proposed amendment for schools funded by rates and controlled by school boards.⁴⁵ This restricted, but did not eliminate, the discretion of the school boards on religious instruction, upon which the government had been so keen. But the logic of Cowper-Temple's amendment meant that school boards would be prevented from using rates to aid voluntary schools with distinctive denominational teaching. Government grants would therefore be increased to one half of their total annual costs.

The Cowper-Temple clause was negative undenominationalism, that is, it did not prescribe what, if any, religious instruction should be taught in the new board schools (for example, the Bible or generally agreed Christian doctrines), but only that it should not include formularies or catechisms which were distinctive of any particular denomination. The clause has been variously interpreted, but Roy Jenkins's prize-winning biography of Gladstone is completely misleading in suggesting that the clause provided a 'basic or Nonconformist religion, that is the Bible and a few hymns, on the rates.'⁴⁶ Matthew is also similarly misleading in describing this compromise as a surrender to latitudinarianism and Nonconformity.⁴⁷ But logically, this clause did not provide for any positive content for religious teaching; it was precisely the difficulty of defining any kind of positive undenominationalism which drew the government away from that solution. So even the subsequent policy of most school boards to provide Bible-based teaching does not match Matthew's judgement, since latitudinarianism is a doctrinal term which would not apply to simple Bible teaching.

Three significant amendments were discussed at the conclusion of the committee stage on 30 June. Sir John Pakington, a leading proponent of national education for more than a decade, called for compulsory daily Bible reading in the new board schools.⁴⁸ Ironically, Cowper-Temple had supported compulsory religious instruction and Bible reading with explanation when he spoke at the second reading on 18 March.⁴⁹ Gladstone made little comment on Pakington's motion, but, somewhat incongruously, alluded approvingly to a speech (presumably that of 23 June) by Edward Baines, Liberal MP for Leeds, as undermining Pakington's case. But the views of Baines and Gladstone in fact diverged in important respects. Baines's support for the state remaining neutral about religious teaching would be congenial to Gladstone. But Baines did not so much argue a case against Pakington as present hopes and assertions. He relied on the wisdom of the local boards

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to decide to provide religious teaching. However, unlike Gladstone, he both praised the BFSS model of religious teaching and argued that undenominational religious education was feasible, a view anathema to Gladstone. He was also scornful of the practicality of clergy visiting schools to provide religious teaching, as mooted by Gladstone. Put to the vote, Pakington's amendment was lost by 81 to 250, a majority of 169.⁵⁰

Gladstone spoke in more detail on the motion of Sir Stafford Northcote, Conservative MP for North Devonshire, his former private secretary. Northcote tried to remove the Cowper-Temple clause and so, in this aspect, revert to the bill as first introduced by Forster on 17 February 1870.⁵¹ Gladstone accepted the theoretical force of Northcote's argument, but stated that the government was not now prepared to alter its stance. With various amendments still pending and significant time having already been devoted in committee to the bill, Gladstone, betraying a hint of impatience, wished it to be accepted as a practical way forward. He sympathised with Northcote's argument, especially the 'larger liberty' it would give to the teaching of religion. However, the government had been influenced by the feeling in the country as much as by the logical arguments of MPs. There could be no going back. Northcote was defeated in the vote, with 252 against and 95 in favour: a majority of 157.

An amendment from Jacob Bright, Liberal MP for Manchester, was also debated. There was widespread agreement that the interpolation of the Cowper-Temple clause into the bill forbade the use as a schoolbook of any written catechism or formulary which was distinctive of any particular denomination. So, for example, the Anglican Book of Common Prayer and its catechism were precluded. However, not everyone was content that the clause could be interpreted as allowing oral comments by the teacher which might explain a Bible passage in a denominationally distinctive way. Hence, to forestall this use of the Cowper-Temple clause, Bright proposed that:

In any such school in which the Holy Scriptures shall be read and taught the teaching shall not be used or directed in favour of or against the distinctive tenets of any religious denomination.⁵²

Gladstone's response to Bright was split between two speeches he made on this day. He put forward a mollifying argument: he had no problem with Bright's intention, but 'the effect of his amendment would be to introduce a new kind of State religion', for which he refused to take responsibility.⁵³ Gladstone also advanced a political argument: the Conservative opposition had accepted that the government concessions had been suitable. Here the government stood, he said, even though not all Liberals were supportive of the government position. Gladstone's legal argument

was that judges would not support Bright's amendment and would say that, if parliament made unintelligible laws, it must be expected that they would be disobeyed.

Before this stage of the bill Gladstone had been consistently critical of the BFSS's undenominational plan. Now came something of a volte-face, for he expounded the BFSS policy on religious teaching in such a way as to undermine Bright's argument. Gladstone rightly said that the BFSS had two cardinal principles: that the Bible should be read daily and that 'no catechism, or other formulary peculiar to any religious denomination, shall be introduced or taught during the usual hours of school instruction'.⁵⁴ Thus, Gladstone argued, the BFSS did not lay down any rules about restricting teachers from using their teaching in support of, or against, any particular denomination. This was fair comment on Gladstone's part since the BFSS required their day-school teaching to be supplemented by compulsory attendance at a church of the parents' choosing on Sundays. But Gladstone argued that if the BFSS did not restrict the teacher in this way, then the bill should not so do either. When Bright's amendment was put to the vote, it was defeated, 130 voting in favour and 251 against.⁵⁵ Thus, with the defeat of amendments from Northcote, Pakington and Bright, the Cowper-Temple clause was secure in the Commons.

Gladstone's later reflections on the bill contrasted with his achievements

In the years to come Gladstone consistently resented the inclusion of the Cowper-Temple clause. Those who argue that Gladstone was outplayed in the negotiations on the 1870 bill may point to his later vitriolic reflection that the Cowper-Temple clause was a 'moral monster'.⁵⁶ Soon after the 1870 debates Gladstone, writing to Lord Lyttelton, his brother-in-law, derided the Cowper-Temple clause.⁵⁷ He also wrote to Granville on 14 June 1874:

I have never made greater personal concessions of opinion than I did on the Education Bill to the united representations of Ripon and Forster.⁵⁸

However, Gladstone can be credited with achievements. The principle emphasised in the second reading of the bill in March 1870 of some local discretion about religious instruction had been secured. He had not wanted the BFSS system of compulsory undenominational Bible teaching in the new board schools, and this he achieved. He and his government colleagues fought off amendments from Sir John Pakington and Jacob Bright seeking to expand and qualify the Cowper-Temple compromise. He had succeeded in transcending, to a degree, party differences to convince Anglicans to accept a conscience clause for all schools and sufficient Nonconformists to accept

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While the passing of the Irish bills was an achievement of his first ministry, the Elementary Education Act of 1870 better stood the test of time. It has been described as the most outstanding achievement of that ministry and was arguably one of the great pieces of nineteenth-century social legislation.

the Cowper-Temple principle, even if they were not all reconciled.

The aftermath of the passing of the bill

The bill received the royal assent in August 1870. Gladstone's government had secured a national education bill, which had eluded previous administrations for almost sixty-five years. It had evolved from a denominationally biased bill to one which, through the acceptance of Cowper-Temple's amendment, permitted, but did not require, the new school boards to adopt a negative form of undenominational religious education as a partial solution to the religious difficulty in English education. But not everyone accepted the potential interpolation of oral denominational teaching under the Cowper-Temple clause; hence many school boards introduced the precise wording of Jacob Bright's amendment into their by-laws. Here we must distinguish the original interpretation of the Cowper-Temple clause itself from Cowper-Temple, the clause in the Act enhanced with Jacob Bright's unsuccessful amendment in parliament. On 8 March 1871 the London School Board qualified the Cowper-Temple clause by adopting a by-law prohibiting any attempt either to attach children to, or detach them from, any particular denomination:

That in such instruction the provisions of the Act in Section VII. and in Section XIV. ("No religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school") be strictly observed, both in letter and spirit, and that no attempt be made in any such schools to attach children to any particular denomination.

London's decision proved to be influential and many other boards followed this policy. Ironically, this meant that the local determination required by the 1870 Act in fact often followed a pattern explicitly rejected by parliament. This, therefore, was what the Cowper-Temple clause came to mean for many of the immediate post-1870 generation. However, the government, echoing the principle laid down at the second reading in March, had been determined to leave some small measure of local discretion to the school boards to decide whether to have religious instruction or not. Hence what Gladstone vehemently condemned as a 'moral monster' should be perhaps not quite the original act itself, but rather the way in which it was interpreted in local areas. In a further irony, school board syllabuses for religious instruction tended to follow the spirit of Pakington's unsuccessful amendment by prescribing Bible reading. After the bill had become law, clause 25, hitherto unremarked, which empowered school boards to pay the fees of poor children in denominational schools, became a focus of protest by the Nonconformists, who saw it as a breach

of the Cowper-Temple principle. However, many Nonconformists retained their loyalty to Gladstone.⁵⁹ Moreover, in practice this was a minor issue since few school boards exercised this right. However, the Nonconformist anger over clause 25 may have contributed to the Liberal defeat at the general election in 1874, although other factors should not be ignored. Difficulties over the Ballot Bill, university tests and licensing laws also played a part.⁶⁰ Parry has also drawn attention to the geographical division of the country whereby, in county and southern borough constituencies, voters were anxious about the threats to the established church and to religious education.⁶¹

Conclusion

Gladstone's major faults during the progress of the 1870 bill were that he was slow in two respects. He misjudged the mood of dissatisfaction with the bill at the second reading in March 1870 and in May he was reluctant to accept his colleagues' proposals for amending the bill, but was then pressured by members of his cabinet into a compromise to save it. It was politically damaging that the bill was passed only with Conservative support. Yet Gladstone was superb in his grasp of the issues arising from the religious difficulty in education. While the passing of the Irish bills was an achievement of his first ministry, the Elementary Education Act of 1870 better stood the test of time. It has been described as the most outstanding achievement of that ministry⁶² and was arguably one of the great pieces of nineteenth-century social legislation. It provided at least a partial solution to the religious difficulty in English education. It was the start of what is sometimes loosely called 'state education' in England and the dual system of state, or more strictly local authority, schools alongside a voluntary sector. Thus it paved the way for extending basic education to all children, especially from the poorest strata of society, and for schooling to become compulsory by 1880 and eventually free by 1891.

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- 1 In nineteenth-century literature, the alternative terms 'national education', 'popular education' and 'working-class education' were also frequently used to express the idea of elementary education.
- 2 An excellent succinct account of the progress of the Elementary Education Bill can be found in chapter 7 of D. W. Bebbington, *The Nonconformist Conscience: Chapel and Politics 1870–1914* (George, Allen and Unwin, 1982), p. 10. See also Geoffrey F. A. Best, 'The religious difficulties of national education, 1800–70', *Cambridge Historical Journal*, 12/2 (1956), pp. 155–73 for a reliable perspective view of the background. Patrick Jackson, *Education Act Forster* (Fairleigh Dickinson University Press and Associated University Presses, 1997) has much valuable material,

- but errs by describing the British and Foreign School Society as a Dissenting or Nonconformist organisation. See p. 136.
- 3 Jonathan Parry, *The Rise and Fall of Liberal Government in Victorian Britain* (Yale University Press, 1993), p. 262.
 - 4 H. C. G. Matthew (ed.), *The Gladstone Diaries, With Cabinet Minutes and Prime-Ministerial Correspondence: Volume 7 January 1869 – June 1871* (Clarendon Press, 1982), p. xxix.
 - 5 Bebbington, *Nonconformist Conscience*, p. 10.
 - 6 E. J. Feuchtwanger, *Gladstone* (Allen Lane, Penguin Books, 1975), p. 151.
 - 7 Richard Shannon, *Gladstone: Heroic Minister 1865–1898* (Allen Lane, The Penguin Press, 1999), p. 57.
 - 8 *Ibid.*, p. 62.
 - 9 This term should not be confused with the fact that before 1870 all schools, even those which received government funding, could be described as voluntary.
 - 10 Report of the Commissioners appointed to inquire into the state of popular education in England (HMSO, 1861) vol. i, p. 545.
 - 11 Newcastle Commission Report, vol. i, p. 34.
 - 12 Newcastle Commission Report, vol. i, p. 304.
 - 13 Roy Jenkins, *Gladstone* (Pan Macmillan, 2002), p. 322.
 - 14 H. C. G. Matthew (ed.), *The Gladstone Diaries, With Cabinet Minutes and Prime-Ministerial Correspondence: Volume 7 January 1869 – June 1871* (Clarendon Press, 1982), p. lxiv.
 - 15 The document was marked 'for private perusal and circulation only'. British Library, Add MSS 44,728, fos. 70–1.
 - 16 H. C. G. Matthew, *Gladstone, 1809–1874* (Clarendon Press, 1986), p. 97.
 - 17 Gladstone Papers, British Library, Add MSS 44,140.
 - 18 Gladstone Papers, British Library, Add MSS 44,165.
 - 19 Gladstone's reading on education included works by Sir John Pakington, the acknowledged leader of the movement for national education from 1857, the report of the Newcastle Commission, and, in the 1860s, items on the conscience clause problem in elementary education, usually read soon after they were published.
 - 20 John Morley, *The Life of William Ewart Gladstone* (3 vols, Macmillan, 1903), vol. ii, p. 298.
 - 21 Gladstone to Earl de Grey, 4 Nov. 1869. This originally archival detail probably appeared first in Wemyss Reid's 1888 biography of Forster.
 - 22 W. E. Gladstone, 'Mr. Forster and Ireland', *The Nineteenth Century: a monthly review*, 24 (September 1888), p. 453 (in a review of Wemyss Reid's newly published biography of W. E. Forster). See further below.
 - 23 Hansard, Parl. Debs. (series 3) vol. 199, col. 1947 (14 Mar. 1870).
 - 24 Matthew, *Gladstone Diaries, Vol. 7*, p. lxxv.
 - 25 W. F. Hook, *On the Means of Rendering more Efficient the Education of the People: a Letter to the Lord Bishop of St. David's* (1846). The bishop in question was Connop Thirlwall.
 - 26 M. R. D. Foot and H. C. G. Matthew (eds.), *The Gladstone Diaries, Volume 3: 1840–1847* (Clarendon Press, 1974), pp. 551 and 558 respectively.
 - 27 Matthew, *Gladstone Diaries, Vol. 7*, p. 275.
 - 28 Hook, *Means of Rendering*, p. 36.
 - 29 W. E. Gladstone, 'Mr. Forster and Ireland', *The Nineteenth Century: a monthly review*, 24 (September 1888), pp. 451–64 (a review of Wemyss Reid's newly published biography of W. E. Forster).
 - 30 On Dixon, see passim James Dixon, *Out of Birmingham: George Dixon (1820–98), 'father of free education'* (Brewin Books, 2013).
 - 31 Hansard, Parl. Debs. (series 3) vol. 199, cols. 1930–1 (14 Mar. 1870).
 - 32 *Ibid.*, col. 1945 (14 Mar. 1870).
 - 33 *Ibid.*, col. 302 (18 Mar. 1870).
 - 34 Norman Morris, *The Politics of English Elementary School Finance 1833–1870*, Studies in British History, 72 (The Edwin Mellen Press, 2003), p. 275.
 - 35 Gladstone to Lord John Russell, 24 Mar. 1870, Russell Papers, National Archives, PRO 30/22 16F, fos. 152–5.
 - 36 Gladstone to Cardinal Manning, 26 Mar. 1870, Gladstone Papers, British Library, Add MSS 44249, fo. 148.
 - 37 Hansard, Parl. Deb (series 3) vol. 199, col. 1923 (14 Mar. 1870).
 - 38 Gladstone to Lord John Russell, 12 Apr. 1870, National Archives. PRO 30/22/16F, fo. 165.
 - 39 Dixon, *Out of Birmingham*, p. 127.
 - 40 The document with the two amendments is entitled 'Elementary Education Bill. Draft Amendments.', British Library, Add MSS 44086, fos. 146–7. The relevant clause in the bill was 14(2).
 - 41 Shannon, *Gladstone*, p. 81, nn. 92 and 93.
 - 42 *Ibid.*, p. 82.
 - 43 John T. Smith, *Methodism and Education 1849–1902: J. H. Rigg, Romanism, and Wesleyan Schools* (Clarendon Press, 1998), p. 62, citing letters to Forster, 8 Jun. 1870 and to Sir George Grey, 10 Jun. 1870, as in H. C. G. Matthew, *Gladstone 1809–1874* (Clarendon Press, 1991), pp. 304 and 305 respectively.
 - 44 Matthew, *Gladstone Diaries, Vol. 7*, 14 Jun. 1870, p. 307.
 - 45 Hansard, Parl. Debs. (series 3) vol. 202, cols. 266–85, especially 272 (16 Jun. 1870).
 - 46 Jenkins, *Gladstone*, p. 323.
 - 47 Matthew, *Gladstone Diaries, Vol. 7*, p. lxxvi.
 - 48 Hansard, Parl. Debs. (series 3) vol. 202, col. 1265 (30 Jun. 1870).
 - 49 Hansard, Parl. Debs. (series 3) vol. 200, col. 289 (18 Mar. 1870).
 - 50 Hansard, Parl. Debs. (series 3) vol. 202, col. 1269 (30 Jun. 1870).
 - 51 Hansard, Parl. Debs. (series 3) vol. 199, cols. 1236–44 (17 Feb. 1870).
 - 52 Hansard, Parl. Debs. (series 3) vol. 202, col. 1270 (30 Jun. 1870).
 - 53 *Ibid.*, col. 1281 (30 Jun. 1870).
 - 54 1844 revision of Rule 4 of the BFSS.
 - 55 Hansard, Parl. Debs. (series 3) vol. 202, col. 1282 (30 Jun. 1870).
 - 56 Gladstone to Rev. Septimus Buss, 13 September 1894, cited in D. C. Lathbury (ed.) *Correspondence on Church and Religion of William Ewart Gladstone*, 2 vols. (J. Murray, 1910), vol. ii, p. 148.
 - 57 Gladstone to Lord Lyttelton, 25 Oct. 1870, quoted in Morley, *Gladstone*, vol. ii, p. 306.
 - 58 Morley, *Gladstone*, vol. ii, p. 298.
 - 59 J. P. Parry, *Democracy and Religion: Gladstone and the Liberal Party 1867–1875* (Cambridge University Press, 1989), p. 398.
 - 60 Feuchtwanger, *Gladstone*, p. 166.
 - 61 Parry, *Democracy and Religion*, p. 403.
 - 62 Feuchtwanger, *Gladstone*, p. 158.

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