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Mrs Thatcher against deep structures: ideology, impact and ironies of her 11-year confrontation with the professions

1. A neglected theme of the Thatcher era

During Mrs Thatcher's third successful election campaign in 1987 there was much talk of 'hidden agendas' and 'iceberg' manifestos. Through all this crossfire, however, one consistent theme of government policy remained hidden and below the waterline, namely their attempt to change professional working practices, to reduce the powers of their corporate bodies and to subject professionals to state supervision and regulation. One after the other, civil servants, academics, teachers, pharmacists, opticians, estate agents, nurses, doctors, and lawyers had been subjected to this treatment and it continued, still more insistently and visibly, during the third Thatcher government.

At the start of the 1987 campaign, a lone commentator and one national newspaper identified these attacks as a distinctive phenomenon, but they never became a significant, let alone major, issue in the campaign and they never became one over the next five years.1 The issue briefly broke the surface during the 1992 election campaign, principally in connection with the impact of the NHS reforms on doctors, but over the entire Thatcher era the reform of the professions never attracted much attention or discussion.

The conservatives, of course, had no wish to make the reform of the professions a campaign theme, since there was little reason to suppose that this would have an electoral appeal comparable to that of trade union reform, apart perhaps from the teachers.2 The

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2 Teachers are the exception to this proposition. The government seems to have considered them a rather unpopular profession and fair electoral game. In any event, many educational reforms which affected them, such as national standards in reading, writing and arithmetic, open enrollment, the reform of teacher education, were mentioned in the 1979, 1983 and 1987 manifestos. The 1983 manifesto included a section on 'how to defend Britain's traditional liberties and distinctive way of life' which mentioned proposals to reduce the cost of administering the Health Service and commended the Rayner Unit studies of civil service efficiency. School, university, civil service and health service reforms are all mentioned in the 1987 manifesto, but nothing is said about the reform of the professions concerned.
professions themselves, not surprisingly perhaps, were each preoccupied with the threats to their own institutions and never recognized them as part of a wider campaign or contemplated a common defence against a common adversary. It is somewhat more surprising that neither of the opposition parties sought to capitalize on the hostile responses to the reforms of sizeable professional constituencies. It is also surprising that extended analyses of the Thatcher decade neglected the subject, for though they have often discussed the reform of the civil service, of education, health care and legal services they have always tended to see these rather as the government chose to present them, as a series of reforms of public services or as confrontations with so many 'institutions' and 'vested interests'. In so doing, they have tended to overlook the common social formation on which all these services, institutions and vested interests depended.

For those interested in putting Thatcherism in its historical context and assessing its longer term impact on British society and culture, this slight shift of perspective—from the service to the professionals who provide them—is, I hope to show in this paper, crucial. My first task therefore will be simply to identify the phenomenon under discussion, by tracing in turn the experiences of seven professions during the Thatcher era. So that one may observe the common elements in their experiences and then consider what these might add to our understanding of Thatcherism. I will then try to place the reforms in their proper historical context by identifying their only precedent. I then speculate about their likely long-term impact and conclude by noting two of their major ironies.


(a) Civil Servants.

The first profession to feel the impact of the new Thatcher policies was the civil service. In the 1979 election the Conservative Party had campaigned against excessive state control and on assuming office, a number of ministers and advisers let it be known that the new government intended to 'deprivilege' the civil service.

In most countries civil servants would be reckoned a bureaucracy rather than a profession and in their campaign rhetoric the conservatives often found it useful to portray it as such. However,


4 Though she herself never publicly used the term see pp. 623-4, Peter Hennessy, Whitehall, Fontana, 1989.

5 The Royal Commission chaired by Lord Fulton is beset and befuddled by this confusion of terms. It in fact recommended the extension of managerial controls and techniques but it insisted on calling these 'professional' and castigated civil servants for their 'amateurism' and lack of professionalism. The Civil
in Britain at least, the civil service, and especially the higher civil service, is properly considered one of the professions and it is only by so doing that its distinctive structure and culture can only be accurately described and explained. In the century after the implementation of the Northcote-Trevelyan reforms in 1870, the higher civil service absorbed, and adapted to its own very different working conditions, notions of professional training, ethics, autonomy and status which had long been institutionalized among barristers and physicians and, to a lesser degree, among the dons of the two ancient universities. While their name had changed, (from 'first division clerks' to the 'administrative class' in 1921, and to the 'unified grades' or 'open structure' after the Fulton Report of 1968), the elite of the service retained its corporate, professional characteristics and their own exclusive, collective association—the First Division Association.

Thus, the training of entrants to this elite was provided, not by the universities or any other formal training institution, but on-the-job, in the manner of barristers' pupillage or doctors' residency. During it, entrants were expected to absorb insensibly the ethics of the service they had joined and its unwritten standards of conduct. As in other professions, it was assumed that having entered the service at the start of their working lives, they would remain in it till their retirement. And like other professions, the first division clerks or administrative class, defined and defended their own occupational 'mystery' or jurisdiction, the translation of the legislation and policies of the elected government into workable administrative programmes. Over this work jurisdiction they claimed an absolute sovereignty and, again like other professions, rejected any interference from their 'clients', which in their case meant government ministers. Correspondingly, they accepted that they should not trespass on the jurisdictions of others. They did not therefore meddle in politics or to involve themselves excessively, in the tasks of their subordinates, the executive or clerical classes of civil servants.6

No doubt, these subordinate classes came rather closer to the bureaucratic model, but since the 'first division clerks' and their successors had little interest in directing and co-ordinating their work by conventional managerial techniques, the service as a whole is probably better conceived as a hierarchically coordinated cluster of professional and semi-professional occupations rather than as a bureaucracy. Most of the inferior occupations were also trained on-the-job, also established their own distinct work jurisdictions, had their own separate career ladders and were typically organized in


6 In 1961 the Plowden Committee found that they were so concerned with policy advice that they did not devote enough time to management. In 1969 the Fulton Commission observed that they 'tended to think of themselves as policy advisers to the people above them rather than as managers of the administrative machine below them,' both quoted p.195, Gavin Drewry and Tony Butcher, The Civil Service Today, Blackwell, Oxford, 1988.
their own exclusive professional associations. Thus, it was the enduring appeal of professional ideals and professional forms of organization that gave the British civil service its distinctive structure and culture.

Mrs Thatcher's first government was therefore seeking to 'deprivilege' a set of professions and semi-professions rather than a bureaucracy, chief among them, those of the former administrative class, the unified grades from principal to permanent secretary. Whatever 'deprivileging' meant, it soon became clear that it did not entail reform of the machinery of government, or any changes in the recruitment, training or career structures. In the early years, Mrs Thatcher was urged by a number of advisers to embark a comprehensive structural reform of this kind but she believed that her government had more pressing, economic, priorities and never changed her mind about this. Hence, until the very end of the Thatcher era, formal, structural changes were comparatively modest. Some observers claimed that she was nevertheless changing the relationship between the legislature and the executive by imposing a political criterion on the promotion of higher civil servants -by always asking is he one of us? The evidence to support this view, however, is not persuasive.

The attack on the public administration professions was therefore less a frontal assault than a guerrilla campaign. It opened with the importation of a senior manager from Marks & Spencer, Derek Rayner, to head a small efficiency unit which conducted 'scrutinies' of the administrative work of civil service departments with the main aim of cutting costs and manpower. In itself, this was a rather limited intrusion into professional prerogatives of civil servants, and supposedly never directly concerned the policy tasks of the unified grades. However, it became something more because of the importance Mrs Thatcher personally attached to the work of the unit. She tended, one participant remarked, to treat the part-time, retail executive Rayner, as though he were true head of the service. His tiny unit therefore became a sort of 'counter-Whitehall of her own within Whitehall'. She was thought to dislike the true head of the

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7 These are all listed as witnesses to the Fulton Commission pp.185-190, op.cit.

8 The functions of the Civil Service Department were transferred back to the Treasury. The Department of Health and Social Security was split in two and the Departments of Trade and Industry merged. The Central Policy Review Staff, created by Harold Wilson, was abolished because it duplicated the work of the Policy Unit at No.10. For details of these changes, pp.645-651, 662, Hennessy, op.cit. The disappointment and frustration of those proposing structural reform is described pp.171-2, Patrick Cosgrave, Thatcher: The first term, Bodley Head, London, 1985.

9 Although it is commonly thought that she refused to follow precedent and consult the Leader of the Opposition about the appointment of the Cabinet Secretary, she only did so because in 1977 Callaghan had refused to consult her. See pp.635-9, 664, 673, Hennessy, op.cit.

10 p.640, ibid.
service, Sir Ian Bancroft. Within two years, he had taken early retirement.

In subsequent years, the work of the Efficiency Unit expanded greatly. By 1985 it claimed to have saved the public service £750m.11 By 1988 it had extended its aspirations beyond further scrutinies and proposed a radical organizational change in the service which would 'release managerial energy' and apply 'real and sustained pressure ...for continuous improvement in the value for money obtained in the delivery of policies and services' by spinning off the work of departments into independent, executive agencies.12 By the end of the Thatcher era, the guerilla campaign had therefore opened real prospects of significant change in the machinery of government by a backdoor route. Since appointment as directors or staff of the proposed agencies was to be open to non-civil servants, they would necessarily be recruited and trained in ways quite unlike the rest of the service, have quite different conditions of employment, and presumably therefore, not share its professional, public service ethic. By the time of her resignation, about 80,000 or 14% of civil servants were employed in executive agencies and the number was expected to increase considerably by the end of 1992. However, the notion of independence had been qualified and diluted in various ways since it was left to the Treasury to determine how their proposed autonomy might be combined with control of expenditure, manpower and pay appropriate to public service employment.13

In practice, therefore, the Thatcher reforms proved to be rather less drastic or punitive than the original ominous threat of 'de-privileging'. The scrutinies of Rayner's unit, had led to significant cuts in manpower, introduced new methods of budgetary control, and threatened the cohesion of the service by proposing that substantial slices of its work be devolved to independent agencies which would be run like business enterprises.

By the time of Mrs Thatcher's departure, however, their main impact, seems to have been psychological or ideological. They had bruised the self-esteem of the profession by challenging their belief that, subject to periodic accountability to royal commissions, senior civil servants alone had the right, the skill and the experience to decide how the public service should be run on a day-to-day basis. The reforms had continuously and cumulatively devalued civil service expertise and values. Mrs Thatcher herself did little to disguise her contempt for civil servants, at least for those with whom she was not in regular contact. 'She doesn't think that clever chaps like us


13 For details of the numbers and differences between 'gross running cost', 'net running cost' and 'trading fund' agencies see Agency Negotiating Pack, Civil and Public Services Association, December, 1990.
should be here at all.' said one of Hennessy's informants. 'We should be out side, making profits.' Another complained of being 'told by politicians that they don't want whingeing, analysis or integrity... that we must simply 'do as we are told.' Civil service methods were 'repeatedly compared unfavourably with the superior methods of private business.' Ministers constantly reminded them that 'they have several friends in the private sector who could do the job in the morning with one hand tied behind their back...'

(b) Doctors and Nurses.

The campaign against the medical professions began in 1980 on the fringes of the national health service when, as an extension of restrictive trade practice legislation, opticians' monopoly of the sale of spectacles and other rules were abolished. The attack on the core professions began in 1983 with the appointment of an inquiry team headed by Roy Griffiths, a director of a food supermarket chain. He found that the main failure of the NHS was that there were no clear lines of managerial control and responsibility. In a widely quoted phrase, the report suggested that 'if Florence Nightingale were carrying her lamp through the corridors of the NHS today she would almost certainly be searching for the people in charge.'

Ever since its formation the national health service had in fact provided a very high degree of autonomy for the professionals and semi-professionals within it, a paradox that American critics of the system often find difficult to grasp. Public funding of the NHS had never entailed continuous bureaucratic intrusion and supervision. On the contrary, it had enlarged and reinforced the professional autonomy of medical practitioners. NHS consultants were able to work in much the same manner as their nineteenth century predecessors who donated their time to charitable hospitals, with the added advantage that they were able to draw a regular salary in addition to continuing with their private practices. The NHS had also settled the long-disputed division of labour between consultants and general practitioners, rescued the latter from the unwelcome supervision of friendly societies and insurance funds and provided them with a secure, non-competitive work jurisdiction.

By the time Griffiths and his team arrived, the NHS had developed its own unique form of 'consensus management' which rested on the deliberations of elected representatives of every significant occupation in the service. Each professional group constituted a sort of self-governing 'soviet', and each management team a sort of supreme soviet, though this analogy does not quite convey the extent of professional prerogatives since each professional representative held a right of veto. The Griffiths team derided this 'consensus management' and compared it to 'a "mobile": designed to move with any


15NHS Management Inquiry, Team Leader: Roy Griffiths, October, 1983.

breath of air, but which in fact never changes its position, and gives no clear indication of direction.'

Their report recommended that it be replaced by a conventional system of line management, an NHS board chaired by the Secretary of State, and reporting to it, a 'chief executive of the NHS' who should head a hierarchy of regional, district and unit managers down to every last unit delivering medical care within the service. These managers were to be given appropriate financial responsibility for the services under their control and were expected to devise measures of output and efficiency so that they could reward or punish those under their control. The whole tenor of the report was to increase the power of managers at the expense of both the medical professions and local government. Whilst it acknowledged that 'clinicians should be involved more closely in the management process' and that 'the views of the community at all levels' should be 'taken into account', it had nothing whatever to say about how these things should be done.

Since the report did not require or propose legislation, implementation began almost immediately and continued over the next several years. In due course, it inevitably entailed a redefinition of the responsibilities and conditions of employment of both general practitioners and consultants and some means of measuring their output and efficiency. Their professional bodies argued that they alone should be responsible for the latter task but both professions were nevertheless obliged to accept new contracts which regulated their conditions of employment in far more detail than in the past. That for general practitioners was finally accepted, with some reluctance, by the professions representatives on the General Medical Services Committee in 1988. However, it was rejected by the general practitioners in a referendum but then imposed on them unilaterally by the Secretary of State for Health.

The new policies stated aims were to give patients more information and more choice, by making it easier for them to change doctors, by simplifying the complaints procedure to improve the standards of medical care by promoting competition between doctors, by relaxing restrictions on advertising, and by making their remuneration system more performance related, so that GPs who provide high quality services were better remunerated. It sought to 'make clear that...all GPs are responsible for the care of their patients at all times.' It included mandatory hours of consultation (26 per week) and other rules with regard to their place of residence, their staff and their other commitments. It required annual returns on their prescriptions and hospital referrals and offered incentive or 'target' payments for immunizations, cervical smears and other kinds of screening and preventive tests.17

In 1990 consultants were also required by the new administrative rules to negotiate a 'job plan' with their general managers which would be the basis of their future contracts. These set out their

17pp.5-7, General Practice in the National Health Service: The 1990 Contract: The Government's Programme for changes to GP's terms of service and remuneration system, Issued by the Health Departments of Great Britain, August, 1989.
main duties and responsibilities, and proposed 'a work programme for a typical week.' The tone of the recommended form of contract which consultants were to be required to sign was peremptory and imperative: 'You will be expected to work with local managers...You are expected to observe the units agreed policies and procedures.....You will devote time to this activity on a regular basis etc. etc. Moreover, the day-to-day management of these contracts was devolved from the regional health authorities, where they had been lodged since the founding of the NHS to prevent any interference with consultants' clinical autonomy, to their direct managerial supervisors in the district health authorities.\footnote{Health Circular HC(90)16, Department of Health, May, 1990.}

An analogous line-management logic was applied to nurses who constitute about half of the NHS workforce. Nurses are an extraordinarily diverse collection of near-proessions and semi-proessions, differentiated and stratified by their training, their qualifications, their specialties and places of work. Since they have always been subject to the supervision of consultants, hospital administrators or general practitioners, they obviously have not enjoyed a degree of autonomy comparable to that of their professional superiors. Nevertheless, they had some of the same professional characteristics. They were usually trained on the job, had a strong sense of their own jurisdiction and responsibilities, and their high rates of associational membership suggested considerable collective solidarity, even though the more 'professional' Royal Colleges of Nurses and Midwives are often at odds with the two major trade unions for nurses, the Confederation of Health Service Employees and the National Union of Public Employees. Over the long run, their professional status had been gradually and somewhat grudgingly acknowledged. 'Consensus management' was in fact something of a triumph for them, the successful culmination of a long struggle. Apart from the reference to Florence Nightingale, Griffiths barely mentioned them.

In October 1988, as part of an attractive pay package, nurses were 'regraded'. Every kind of nurse, from aides and auxiliaries, enrolled and registered nurses, hospital and district nurses, ward sisters, midwives and teaching staff, each of which had previously developed their own grades and career paths were assigned to one of nine letter grades of a uniform national scale. This new grading system struck at the very heart of their collegial relationships. Ward sisters, for instance, who had previously been jointly responsible for the running of a ward had to compete for the only grade G permitted for each ward, since only one of them could be a 'ward manager' and satisfy the requirements of being in charge with the 'continuing responsibility.'\footnote{Government spokesmen sometimes defended regrading on the grounds that it provided a career structure for clinical nurses. Nurses evidently saw it differently. In its 'election manifesto' of 1992 the Royal College called for 'a clinical career structure' and that 'nurses who go into management' should retain 'a clear involvement in clinical work with patients.' A Manifesto for Nursing and Health, Royal College of Nursing, 1992.}
By the end of the Thatcher era therefore, rational bureaucratic pyramids of control and accountability had been superimposed on the host of professional, semi-professional enclaves and communities of the NHS. Consultants and general practitioners, however, were provided with escape routes. In 1989, hospitals, by the majority vote of their consultants, were allowed to 'opt out' of health authority control and become an independently financed NHS Trust Hospital which enabled them to conduct their affairs as they wished, subject only to guidelines from the Department of Health. Similarly, general practitioners with more than 9000 patients on their list were allowed to 'opt out' of the control of the Family Practitioner Committee and become independent 'fund-holding' practices. This allowed them to act as independent business enterprises, purchase services with any hospital that they choose and compete with other general practitioners in an 'internal' NHS market. In sum therefore, the Thatcher era offered the two professions a choice between the discipline of line management and the discipline of the market.

(c) School teachers.

Teachers were as far from the original fee-for-service professional model as civil servants and nurses and for similar reasons. They too had been, from the beginning, employees who had been unable collectively to control admission to their own profession. They were also differentiated and stratified, by the level and type of school in which they taught and therefore never had a single representative, self-governing, association. Like civil servants and nurses, they were less a single profession than a cluster of kindred professions, linked by a overlapping areas of expertise and concern, overlapping jurisdictions and interlinked career patterns. Along with pre-school, elementary and secondary school teachers, this cluster includes educational administrators in local authorities and, rather more distantly, teachers at schools of education. Of this cluster, only pre-school teachers emerged unscathed from the Thatcher years.

During the first and second Thatcher governments, the signals were rather mixed and inconclusive. The vision of a new kind of teaching profession emerged cumulatively from a number of piecemeal measures. Some of the early measures seemed to be a continuation of the debate about comprehensive education that had divided the two major parties for the previous two decades and more. The most controversial provision of the Education Act of 1980 was that of 'assisted places' which provided public funds to enable pupils to attend private schools. The major educational reform of the second government was the Technical and Vocational Initiative, which was intended to expand the vocational element of secondary education, and was launched experimentally in 1982 and nationally in 1986. This was an unusual 'educational' reform in that it was sponsored, not by the Department of Education and Science, but by the Manpower Services Commission of the Department of Employment. The Education Act of 1986 was primarily

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20 The internal party debates and disputes behind these mixed signals have been minutely dissected in pp.135-184, Christopher Knight, The Making of Tory Education Policy in Post-War Britain, Palmer, London, 1990.
to restrain what were thought to be the excesses of progressive education, to prohibit politically partisan teaching, to allow parents to withdraw their children from sex education, to enable police to have an input to school curricula.\textsuperscript{21}

In some respects, the first two governments seemed rather conservative. They did little at least to suggest that they wanted to reform radically the teaching profession. Keith Joseph rejected the idea of educational vouchers, refused to impose a national curriculum and rejected radical reform of the teachers' conditions of service. The reform of secondary school curricula and examinations accompanying the new General Certificate of Secondary Education of 1986, merely continued work begun under the Labour government. In some respects, it even increased the discretion of individual teachers since assessment of classroom work was included in the new examination. The new graduate in-service training built on a number of professionally-inspired and locally-organized initiatives.

With the advantage of hindsight, however, one can identify a number of measures or proposals of the first two governments to define a new relationship between both the state and the market and the teaching profession, which was finally completed in the Educational Reform Act of 1988. The 1980 Education Act, for instance, had included a number of modest provisions to increase the market choice of parents in the state sector.\textsuperscript{22} In 1983, a white paper proposed a system of teacher appraisal linked to merit payments and dismissal. It was also decided to publish the previously confidential reports of Her Majesty's Inspectorate.\textsuperscript{23} In the same year, the government decided to exclude teachers' representatives from national policy-making about curriculum and assessment by abolishing the Schools Council. Though without formal powers, the Schools Council had been much the most influential national body considering these issues and was explicitly constituted to be representative of the teaching professions. It was replaced by two bodies, the National Curriculum Council and School Examinations and Assessment Council whose members were to be appointed by the Secretary of State in a personal rather than representative capacity.\textsuperscript{24}

In November 1986, the government not only rejected the agreement reached by the Burnham Committee (the national negotiating body which brought together representatives of teachers' employers, the 104 local education authorities, and those of the six teaching unions),

\textsuperscript{21} for a full account of these and other reforms Michael Barber, \textit{Education and the Teacher Unions}, Cassell, London, 1992.

\textsuperscript{22} Ken Jones, \textit{Right Turn, The Conservative Revolution in Education}, Hutchinson Radins, 1989.

\textsuperscript{23} Teaching Quality, Department of Education and Science, 1983.

but subsequently decided to abolish the committee itself and to impose a new contract on the teachers. In so doing, the government indicated that it wished to abolish uniform national pay and conditions, which teachers unions and associations, like other professional bodies, had long considered a fundamental precondition of their professional status and solidarity. Instead, the government wanted schools' governing bodies and head teachers to have the same freedom as other employers to fix pay and conditions according to their local labour markets. The new contract, which was subsequently imposed on the teachers, set out more precisely than ever before teachers' duties, the days and hours they were required to work at the direction of their heads, their obligation to cover for absent colleagues and to participate in further training and in performance appraisal.

After their election victory in the spring of 1987, the tempo of educational reform suddenly accelerated. In July 1987 a consultation document on the national curriculum, was issued and in August the educational reform bill was published which allowed teachers' associations the rest of the summer vacation to respond to a series of far-reaching proposals before being introduced in the Commons in the autumn. This included three measures which had decisive impact on one or other segment of the profession: open enrollment, opting out and the national curriculum.

Open enrollment enabled parents to choose the school that their children could attend and thereby sought to create something approximating market competition between schools since money would flow to the 'good' schools that attracted large numbers of pupils while the others might go the wall. This measure had significant consequences for two educational professions, since it not only increased the power of parents as consumers over the teachers, or 'the agents for the delivery of the curriculum' as Keith Joseph called them but also undermined the powers of educational administrators who had previously been responsible for the allocation of children to particular schools.

'Opting out' allowed a majority of parents to vote to remove the school their children attended from local authority control. Since educational administrators and teachers, as well as the rest of the community, had no vote, this measure emphasized in the most emphatic manner the power of consumers at the expense of professionals. The imposition of a national curriculum for 5-16 year olds had a similar effect since it drastically reduced the scope of teachers' professional judgement about how and what pupils should be taught and imposed a large proportion of compulsory core subjects, though less

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26 For a full analysis of the consultation papers and all the provisions of the bill see pp.47-135, Simon, op.cit.
than the 80% originally planned. Moreover, by linking this to national, published test results of all children at the ages of 7, 11, and 14, it enabled parents to act as informed consumers and judge how well 'their' school and 'their' teachers were doing.27

All these reforms, however, by-passed those who, in the view of many of those who helped to form Conservative Party policy, were mainly responsible for the deplorable state of English education. The culprits, in their view, were to be found not in the classroom at all, but in the teacher training institutes and colleges. It was the teaching staff of these colleges who had failed to provide teachers with basic teaching skills and subject knowledge and had instead filled their heads with fashionable theories of education and the sociology of educational inequality. The teaching staff of educational institutes and colleges were not, however, forgotten. Throughout the Thatcher years, a variety of measures were taken to control this segment of the profession.

In 1984 the Secretary of State, Sir Keith Joseph, established a Council for the Accreditation of Teacher Education to set criteria for and accredit the courses of schools of education. In the following year he again showed his distaste of voluntary, representative bodies by abandoning the Advisory Committee for the Supply of Teachers and allowing the DES to assume direct control of in-service teacher training. Seven years later, in March 1991, the third Thatcher government invented the state-licensed teacher, a seemingly modest adaptation of in-service training which enabling university graduates or other qualified persons to become 'licensed' teachers mainly by on-the job training, with only part-time attendance at a school of education for one day a fortnight. Though innocently presented as a means of meeting shortages of teachers in maths and science, this scheme also broke the monopoly of teacher training colleges over admission to the profession. Its expansion after the fall of Mrs Thatcher suggest that it was primarily intended for precisely this purpose, to inaugurate a new kind of profession over which schools of education had little influence.28

(d) Academics

The confrontation with the academic profession began as a by-product of the attempt to limit public expenditure. It differed from the attacks on other professions in that two bodies, the University Grants Committee and the Committee of Vice-Chancellors and Principals, which academics had previously considered on their side as sturdy defenders of academic independence against state intervention increasingly acted as willing agents of the state. They

27 for a brilliant comparison of the 'professional' orientation of earlier HMI proposals for a national curriculum versus the 'bureaucratic' assumptions of that introduced in the act see Clyde Chitty, 'Two Models of a National Curriculum: origins and interpretation, pp.34-48, Lawton & Chitty, op.cit.

appear to have done so in the belief that unpleasant measures contemplated by the government would be best introduced and administered by academics themselves and might perhaps forestall still more unpleasant forms of state intervention. In the early eighties, both the UGC and the CVCP therefore began to devise and impose various kinds of managerial controls and performance indicators on the universities. For academics, there seemed little to differentiate these pre-emptive measures from the unpleasant measures they were designed to prevent.

The University Grants Committee, had originally been created in 1919 by a Treasury minute, rather than by legislation, as a vehicle for distributing public funds to the universities. With the support of the Treasury, it quickly established itself as a buffer between the state and the universities. To lessen the suspicion of any kind of state interference in academic decisions about courses, departments or faculty, it distributed the public funds allocated to it by quinquennial, block grants rather than by annual and earmarked ones. Behind the protective shield of the UGC, the academic profession was therefore able to enjoy all the autonomy of the ancient professions with minimal, independent organizational effort on its part.

This 'hands off' stance of the state first began to change in 1967 when the UGC was transferred from the disinterested Treasury to a very interested party, the DES. At the same time the UGC accounts opened to audit by the Comptroller and Auditor General, which reported to Parliament, and the UGC began to declare its priorities when distributing its quinquennial grants. In the mid-seventies, DES involvement in academic decisions increased when it began to define the preferred balance between science and arts-based, undergraduate and graduate, degrees. However, following the election of the first Thatcher government and the first threat of severe public expenditure cuts, the UGC gave notice that it intended to abandon its intermediary, buffer role. The chairman of the UGC warned that 'There is going to be in the future a somewhat greater degree of direct intervention by the UGC in the affairs of individual universities than has been customary or necessary in the past.'

In July 1981, the government announced reductions in the public funding for higher education which meant reduction both in student numbers and a voluntary redundancy programme for academics. Of necessity, this required the UGC to choose between subject areas and institutions in making grants, according to criteria indicated by the government. In effect, therefore, it became the governments' agent. The average reduction in university funding over the four years between 1981-4 was 13% but that of four universities was reduced by between 30% and 42%. Under this kind of pressure, one of the four, Aston, operated de facto less as an academic community than a line-managed enterprise. In April 1984, the Committee of Vice-


Chancellors and Principals commissioned an inquiry into the 'governance and efficiency' of universities, chaired by Alex Jarratt, a director of a paper company. His committee included other business leaders along with the chairman of the UGC and a number of university vice-chancellors, principals and administrators.

Their report of March 1985 criticized university administration for its elaborate committee structure, in terms reminiscent of the Griffiths report's indictment of 'consensus management' in the NHS. Similarly, they also recommended stronger line management to be headed by vice-chancellors as chief executives with management-trained senior university administrators. It reminded the universities that they were corporate enterprises to which subsidiary units and individual academics should be responsible and accountable. It therefore recommended that universities give corporate consideration to 'where they currently stand academically in relation to quality, spread and market performance... and where they wanted to be in five years time.' The committee employed management consultants to promote and co-ordinate a series of related efficiency studies, of three administrative areas at six universities, and recommended that the universities adopt performance indicators to enable to compare their performance with one another.

In September 1983, before the publication of the Jarratt report, the CVCP had appointed the Reynolds Committee to examine the universities' internal procedures to monitor their own academic standards. This proceeded to draw up codes of best practice with respect to the approval and monitoring of courses, of examinations and research supervision. The chairman of the UGC warned that the universities 'will ignore its recommendations at their peril.' In October 1985, the CVCP together with UGC, appointed the Richmond Committee to explore the ways in which academic performance might be measured. In the following year technical working groups to consider various auditing and measuring devices and UGC sub-committees published the first national ratings of the research performance of university departments using external funding and publications as performance indicators. The UGC then applied these in its funding decisions and hence extended the notion of selectivity not just to entire universities or subjects but to specific departments, or groups of departments, within them. A second such

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31p.230, Stewart, op.cit


33Reynolds was the vice-chancellor of Lancaster University and his committee have issued four reports for the Committee of Vice-Chancellors and Principals, External Involvement in the Maintenance and Monitoring of Academic Standards, November, 1984; Post-Graduate Training and Research, January, 1985; Academic Standards in Universities, July, 1986; Academic Standards in Universities: on external examining in universities at first degree and taught master's level, July, 1989.

34Committee of Vice-Chancellors and Principals, Performance Indicators in Universities: A first statement by a joint working group, Chairman: Professor Sir Mark Richmond, July, 1986.
exercise was conducted in 1988 and published in 1989. A third is now under way.\textsuperscript{35}

As it turned out, these measures were not pre-emptive in any respect. On the contrary, they appear to have encouraged still further state intervention in academic affairs. In a policy paper of May 1985, the government had commended the efforts of the UGC and CVCP, further emphasized the importance of 'selectivity' in the distribution of public funds and drew the logical conclusion that some universities might, as a result of it, have to be closed. In July 1985, evidently in some doubt about just how far the government could intervene in the internal affairs of universities, it appointed the Croham Committee to review the constitutional position, role and structure of the UGC. Its report, published early in 1987, suggested that whilst block grants should continue, the UGC should also be given 'unambiguous powers to attach conditions including positive and negative earmarking'. In April 1987, shortly before her third election triumph, the government issued a white paper and two consultative papers which indicated what the conditions should be. The universities, they argued, should be 'more responsive to industrial requirements of the country...' and it promised that 'the Government and its central funding agencies will do all they can to encourage and reward approaches by higher education institutions which bring them closer to the world of business.'\textsuperscript{36}

As with the schools, the piecemeal reforms of the universities of the early eighties were given some sort of structure and definitive legal form in the Educational Reform bill introduced in the autumn of 1987 and passed in July 1988. The UGC was itself abolished and along with it lingering notions that the government would be reluctant to use its funding as a means of controlling the universities. Henceforth, the universities were to be directly controlled by the central government by means of a University Funding Council which was to be a 'non-departmental' public body of academics and such non-academics who appear to the Secretary of State 'to have experience of and to have shown capacity in industrial, commercial or financial matters or the practice of any profession.' The UFC was to have none of the representative or protective functions of the UGC and, despite its 'non-departmental' status, was made a creature of the DES. It was not, therefore, to report to Parliament. Its deliberations and views


were to be confidential and it was not, like the UGC, to be advised by disciplinary sub-committees. 37

Line management, as recommended by Jarratt, was extended from the Secretary of State via the chief executive officer of the new UFC who, unlike his UGC predecessor, was to be a full member of council and serve indefinitely. The managerial powers of the Secretary of State were unambiguous. He was not only authorized to present 'strategic guidance' about the size and balance of the university system, about the government's own funding and policy intentions but lest the UFC ignore this guidance, he had a 'reserve power' to issue directions to the UFC. The only remnant of the buffer principle was that the government could not issue directions relating to any specific institution. The act also strengthened the powers of management within the universities by establishing a body of University Commissioners who would visit universities to secure the amendment of their statutes to enable universities to dismiss, for redundancy or other good cause, staff appointed or promoted after November 30th 1987. By this means, tenure was abolished. The commissioners were also to see that universities had established disciplinary procedures to deal with complaints against academic staff. 38

Just as the government had attempted to create a market for secondary school places, so the act also empowered the Secretary of State to create something like a market for university students through his powers to determine the conditions under which funds were distributed to the universities. This was done not by legislation but in subsequent memoranda between the Secretary of State and the funding bodies to determine the financial relations between them. In 1989 the UFC announced a 'system of contracting' under which universities would competitively tender to provide for certain kinds of educational services for specific groups of students at a certain price. The UFC could attach such terms and conditions as it thought fit to the bids it accepted and would monitor performance in accordance with the contracts. The accepted bids would be renegotiated on a rolling, and apparently annual basis, 'taking account of institutions' relative performance.' 39

These new bidding procedures would necessarily remove the subsidy of university research via funds for teaching. The funding of research was therefore to be precisely identified and distributed by a comparable system of contracting via the existing research councils. Universities would therefore receive more of their research funds on the normal contractual basis from these councils rather than through

37 In its final year the UGC consisted of 16 academic members and three senior industrial executives. Its 15 subject sub-committees were entirely composed of academics.

38 Which they did by inviting universities to submit proposed modifications to a 'model' statute that they themselves devised 'Universities to examine new model statute', Financial Times, 23rd Jan, 1990.

39 The procedures are outlined in UFC circular 39/89.
a hidden subsidy from the UFC. Although the UFC and the research
councils were to determine the criteria by which they distributed funds, the government nevertheless declared its continuing interest in how they distributed their funds and specifically its support for the use of criteria 'which will lead to greater selectivity in the allocation of funding...in the interests of sustaining and enhancing quality and cost effectiveness.'

Analogous measures were taken to remove the so-called 'public sector' of higher education, of polytechnics and colleges of further education from local government and bring them under central government control. The National Advisory Body, on which local government was strongly represented, was replaced by the Polytechnics and Colleges Funding Council, in some respects parallel to the UFC, though under still firmer DES control. The act included specific requirements about the compositions of polytechnics' governing bodies. At least half of their members were to represent business, industrial, professional and other employment interests including trade unions. Only one fifth of their members could be drawn from local authorities, two from their own academic staff and one from their students.

(e) Barristers and Solicitors.

When Mrs Thatcher was first elected, the legal professions was still under the scrutiny of a royal commission. By past precedents this ought to have ensured them a few years tranquillity. In its report, the commission itself recommended as much. However, the issue of the reform of the profession surfaced unexpectedly in 1983 when a Labour members' private bill to abolish the solicitors' monopoly of conveyancing, somewhat surprisingly, received the support of the Commons on its second reading. Initially, the government had not supported the bill, but it then decided to bring forward its own measure to similar effect if the private member agreed to withdraw his bill. In so doing, it created a new profession or semi-profession of 'licensed conveyancers'. This threat to their monopoly prompted the solicitors to look for other markets for their services and specifically to question the bar's monopoly of audience in the High Court and the crown courts. The two professions then embarked on increasingly bitter public disputes about their respective jurisdictions, sometimes referred to as the 'bar wars'.

While the two professions were squabbling with each other, the government introduced a number of other reforms which affected them both. Since its introduction in 1948 legal aid had been administered by the solicitors' professional association, the Law Society. In 1985

40 Griffiths, op.cit.


the government decided to bring it under the control of a central, state agency, the Legal Aid Board responsible to the Lord Chancellor, who is, of course, a political appointee and member of the Cabinet.

In the following year it decided that it would also create a centralized Crown Prosecution Service. In England and Wales prosecutions had previously been brought by the police, either through solicitors they themselves employed, or through private solicitors, whom they retained just as any ordinary citizen might. The only central office of public prosecutions was the Director of Public Prosecutions. This had been established in 1879 and was therefore a fairly recent innovation in the English legal system. Earlier attempts had all failed because of the fear of the excessive power it might place in the hands of the central government and when the office was eventually created in 1879 its powers were therefore strictly limited to cases of 'importance and difficulty'. Most subsequent DPPs followed this rule in a self-effacing manner and did not touch cases which they thought a police or private solicitor could handle satisfactorily. The department therefore grew slowly. In 1986 it employed about 80 lawyers, and retained private barristers to represent the crown in court.

In 1978, just before the election of the first Thatcher government, a Royal Commission had found no public disquiet with these arrangements, and recommended that the independence of the prosecuting function would be best served by the continuation of a decentralized service. Nevertheless, one year later, the government suddenly announced that a centralized prosecution would be more independent of the police than a local one and that it therefore intended to centralize the prosecuting powers of the police in a newly-created Crown Prosecution Service under the Director of Public Prosecutions. This decision led to the rapid creation of a new central state legal bureaucracy which by 1990 employed 1700 lawyers and a total staff of some 4000.

This determination of Thatcher governments to centralize powers previously delegated and dispersed rather untidily and vaguely in society itself may also be seen in the 1989 plan to reform the magistrates courts. These lower courts had previously been jointly funded by central government and local authorities and, though loosely under the supervision of the Lord Chancellor, both the magistrates themselves and their professional clerks had enjoyed considerable discretion in the limbo between central and local government. The plan, inevitably, was that they both be brought under the clearly-defined control of a central government agency. However, much the best example was the reform of the two legal

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44the Justice Clerks' Society responded angrily to what they saw as a threat to the independent advice their members gave to magistrates and insisted that 'There must not be the remotest hint that legal advisers might be subject to any direction whatever from the government policy makers.' see The Times, Nov 27 1989.
professions which was announced in three green papers in 1989, many of whose proposals finally became law as the Courts and Legal Services Act of 1991. This was the last major piece of legislation of the Thatcher era and the culmination of the anti-professional crusade. The first of the green papers is as close as one gets to a reasoned and sustained argument about the vision of the relationship between state and society that underlay it.45

One must first recall that in seven hundred years as an organized profession, the bar had never been subject to legislation and had rarely even been mentioned in law. Thus the very idea of legislative regulation was itself without precedent. The green papers proposed an extreme form of central state control, in which a committee appointed by the Lord Chancellor, a majority of whose members would not be lawyers, would determine the admission and training requirements as well as the rules of practice of what amounted to a new profession of 'licensed advocates'. Both the Bar Council and Law Society were invited to submit applications to be recognized as 'suitable' training institutions and to submit their codes of ethics to determine whether they had 'sufficient control' over their members to ensure that satisfactory standards of conduct and behaviour are maintained and enforced'. They were warned that that the Lord Chancellor's committee, rather than the two professions, would first determine 'what should be the principles embodied in these codes.' They were also advised that they would be treated 'like any other industry' and that 'historical precedents would count for nought.'

In a formal sense these papers anticipated and welcomed the end of sovereign, self-governing professions. They are sceptical, even contemptuous, of the ethical rules of the two professions and treat them merely as self-serving arguments to insulate the two professions from competitive forces. They therefore recommended that most of these rules should therefore be abolished. The two professions should no longer be divided. Barristers should be able to employ other barristers, to form partnerships with them, or with solicitors and other professionals. They should be able to practice wherever they wished, to receive clients directly, without referral by solicitors, to advertise and perhaps to negotiate contingency fees. In short, 'the legal professions should be as free as possible, consistent with safeguarding of clients' interests, to offer their services in ways that they find best meet the demands of their clients. The final arbiter to determine whether they were serving the interests of their clients would be the state, rather than the professions. Thus their advertising, would 'like any other business' be subject only to the principles of the Advertising Standards Authority which, the Green Paper claimed, provided 'strong safeguards' for the protection of their clients. The complaints and disciplinary procedures of both professions should in future be supervised by a state official, a Legal Services Ombudsman.

45Lord Chancellor's Department, The Work and Organization of the Legal Profession, Cm 570, HMSO, 1979; Contingency Fees, Cm 571, HMSO, 1989; Conveyancing by Authorized Practitioners, Cm 572, HMSO, 1979.
Many of these proposals were dropped from the White Paper that followed the three-month consultation period and preceded the introduction of the bill. The Lord Chancellor's Advisory Committee became a less imperative and more advisory body since its more important decisions were now to secure the agreement of a panel of senior judges. The prospect of open access to the courts for state-licensed advocates who might be barristers, solicitors or members of other professions was forgotten. The two professional bodies were also rehabilitated and left to decide a number of contentious issues, such as partnerships for barristers, multidisciplinary partnerships and direct access to the bar. The green papers had dismissed the idea that there might be a conflict of interest for solicitors or licensed conveyancers employed by lending institutions undertaking conveyancing work on behalf of their employers and confidently claimed that clients would in any case be safeguarded by a statutory code of conduct. By contrast, the White Paper acknowledged that there might indeed be conflicts of interest. It therefore included a number of requirements that limited the opportunities of assembly-line conveyancing by banks and building societies. In the passage of the bill through Parliament, one crucial amendment, moved by a past chairman of the Bar, limited still further the chances of solicitors competing freely with barristers as advocates in the higher courts. The last attack on the professions of the Thatcher era, unlike any of the others, had ended with 'a fairly massive retreat.'

3. Unravelling the ideology of the reforms

The danger in summarizing extended sequences of reform in a few paragraphs is that one can easily exaggerate both their originality and the coherence. There were, in fact, limited precedents for many of the Thatcher reforms. Rayner, for instance, had previously served a civil service consultant during the Heath government, and the idea of executive agencies is prefigured in Heath's 'new style of government' which proposed that executive blocks of work should be delegated to accountable units of government. The national curriculum had been discussed for several years before Mrs Thatcher came to power, and the bureaucratization of the teaching profession had been under way long since. The 'buffer' role of the UGC had, as


47 the words are Zander's p.784, ibid.

48 a number of these units, known as 'departmental agencies', were created in the seventies including the Defense Procurement Executive and the Property Services Agency. Rayner had served as chief executive of the Defense Procurement Executive see p.196, Drewry and Butcher, op.cit.

49 Lacey persuasively dates the rise of bureaucracy from 1971 when the the single, common pay scale for all teachers, including headmasters, was abolished and the structure of graded posts of heads of departments, deputy heads and heads was established and 'the hierarchical aspect of a career in teaching became firmly
I have already observed, been whittled away in the sixties. The working practices of the legal professions had prompted adverse criticism from the National Board for Prices and Incomes in 1968, on several subsequent occasions from both the Monopolies Commission and the Office of Fair Trading.50 In various ways, therefore, the ground had been prepared for the Thatcher reforms.

The reforms were also not as coherent as these summaries may make them seem. Indeed, at the time, they often seemed to have had a serendipitous, unplanned, almost accidental, character as though the government had just thought of them while dealing with some other problem. The hiving-off of parts of government departments as independent agencies, for instance, seems to have emerged from the rather modest scrutiny of the civil service departments, not from the Heath precedents. The first Thatcher government initially rejected the whole idea of a legislated national curriculum.51 The idea of abolishing the UGC and having a single funding agency for both universities and polytechnics was not even considered during the first two Thatcher governments. The reforms of the legal professions were perhaps the most accidental of all, since they were triggered by the unexpected success for the private members' bill to abolish the solicitors' conveyancing monopoly.52

However, the fact that there were limited precedents for these reforms, and that they are somewhat more coherent in hindsight does not alter the fact that through three governments, numerous ministerial changes and across a variety of institutional settings, they repeatedly struck at the same target—the discretion and autonomy of professionals. They were, we may infer, principled and ideological attacks.

It would not, I think, be plausible to suggest that the professions were merely innocent bystanders who happened to be in the way of a government that was singularly resolute in its determination to cut public expenditure. Some of the reforms go far beyond what was required for the purpose of limiting public expenditure. It would be difficult to believe, for instance, that the limitation of public expenditure somehow or other entailed the abolition of the Schools Council or the imposition of commissioners on the universities. In 1984 the universities were all but forced to take a 1% increase in their grants to enable them to introduce merit and incentive payments established within schools' pp.64, Colin Lacey, 'Professionalism or Bureaucracy', pp.61-70, Frances Slater, The Quality Controllers: A Critique of the White Paper 'Teaching Quality', Bedford Way Papers 22, Institute of Education, London, 1985.


51 In 1981 the Secretary of State observed that the government 'did not think it would be right for secretaries of state to determine syllabuses and the government did not propose to introduce legislation...in relation to the curriculum.' quoted Richard Aldrich, 'The National Curriculum: an historical perspective', pp. 21-33, Lawton & Chitty, op.cit.

52 Mrs Thatcher had earlier defended the bar's monopoly
in which none of them had expressed the least interest. Other reforms were pursued in complete disregard of their impact on public expenditure. No evidence whatever was collected about the cost of 'open enrollment', or the 'opting out' of schools, or the creation of city technology colleges. Indeed, they were pursued over widespread objections from the government's own supporters that they would be an extremely wasteful use of educational resources.53 In any case, seen as a whole, the striking fact about these reforms is that their tempo and scope increased as the public expenditure was brought under control.

If, however, it is accepted that these actions were principled and ideological, it is still not that easy to say what the principles might be or to define their underlying ideology. Ideologies are intended to persuade and therefore usually publicly proclaimed and reiterated. For some analysts this is a part of the very definition of an ideology. However, Mrs. Thatcher, her ministers and party were not especially forthcoming on the principles underlying these reforms.54 They often employed a laissez faire vocabulary and stressed the virtues of competition and freedom of choice, but they then tacked on various other notions which any government anywhere would have found unexceptional, such as efficiency and accountability, saving taxpayers' money or value for money in the public service. A few of the preliminary measures, such as those against the restrictive practices of opticians, estate agents and solicitors can certainly be understood as the application of laissez faire principles. In a number of others one can readily identify the institutions that were intended to enlarge consumer choice. However, neither laissez faire nor these ancillary notions seem sufficient to explain the consistency, determination and even passion, with which the reforms were pursued over eleven years.

On occasion, the laissez faire policy option was explicitly rejected, most notably in the case of the educational vouchers, long touted by the right-wing of the party and by the mid-eighties attracting some support elsewhere. In response to the proposal for higher education vouchers, the government declared that 'student demand alone' was an insufficient basis for planning... since it 'may not coincide with what employers and government consider desirable'.55 Having dismissed the claims of the real consumers, the students, it then

53 The president of the Society of Education Officers, referring to the city technology colleges, protested that it was 'a criminal waste of public money to be investing in new school places when there is already apparently a surplus.' The Times, January 26th 1990; see also pp.57-79, 162, Simon, op.cit.

54 As noted above, fn 43, the 1989 green papers on the legal professions are as close as one comes to an ideological defense of the reforms, but they are merely a laissez faire attack on the professions, remarkable for their virulence rather than their ideas.

55 In the white paper Higher Education: A New Framework, Cm 1541, May 1991 it asserted its right to 'steer' and to 'set the strategic directions for higher education'. It went on to say that it would determine the prospective needs for new graduates by means of 'an interdepartmental review'.
took steps to ensure the representation of 'business, industrial, professional and other employment interests' on the UFC and polytechnic governing bodies, where they might influence higher education decision-making. In a sense, these are of course 'consumers' of higher education but in Britain, for the past century and more, they have shown little interest in what the universities were doing.

In this, as in other cases, where the government decided that a free market solution was politically or administratively impractical, it invented quasi-markets, such as 'open enrollment' and 'opting out' of secondary schools, 'fundholding' general practitioners in an 'internal' NHS market, competing NHS Hospital Trusts, and competitive 'bidding' for university students. These fabricated markets approximate real markets to differing degrees but the one thing they all had in common was that they increased the power of the central state. Schools might, for instance, opt out of local government control but they did not then enter the marketplace as independent schools but became 'grant maintained', under the direct control of the DES. NHS Trust Hospitals might opt out of the control of the regional health authorities but they then became directly responsible to the Department of Health. General practitioners might become 'fundholding' but they likewise became dependent on the funds provided for their services by the Department of Health. The market fabricated for the universities in 1989 had in fact only one buyer, a state agency, the UFC. These funny, quasi-markets were not offering freedom from state control. On the contrary, since their rewards and sanctions, the rules under which they operated, were all determined by departments of state, they were merely transferring power to the central government.

Thus, the peculiarity of Thatcherism was this combination of laissez faire and increased state control, a combination of seeming opposites. Some have argued that this 'paradox' of a 'free economy/strong state' is the defining characteristic of Thatcherism. One studious and perceptive observer, Hugo Young, threw up his hands at the thought of defining that 'package of nostrums and prejudices called Thatcherism.' However, to understand Thatcherism we must first abandon the view that laissez faire and state control are opposites, zero-sum alternative policy options, even though Mrs Thatcher herself frequently spoke in these terms, and has continued to do so, since her fall. However, since she frequently moved in both directions simultaneously, increasing both market choice and state control, this dichotomy must be false. There

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57. p.532, Young, op.cit.

58. Margaret Thatcher, 'Don't Undo My Work', pp.26-27, Newsweek, April 27, 1992 A sample '...so much was controlled by what had almost become a corporate state....I cut back the powers of government. Now they've got to be jolly careful they don't give government too many extra powers and undo what I've done.'
is, in fact, a third option, that of self-regulation, the form of market-regulation created and enforced by the professions. In Britain, this has always been more important than state control since, in practice, state control usually meant professional self-regulation. In any event, once we introduce this third option into the discussion, Thatcherism becomes rather more intelligible. While state control was less desirable than the free market, it was evidently much preferred by her governments to the least desirable option of professional self-regulation.

In the implicit, operative ideology of Mrs Thatcher and her ministers, there were three kinds of labour market, and three corresponding policy options. The first, the most efficient, demanding and honorable were perfectly, or largely, competitive markets. In this case, laissez faire was, of course, the appropriate policy. The state had only to ensure that competition continued. The second were the quasi-markets which the state had created. In this case the appropriate policy for the state was to manage things so that they recreated some of the incentives and sanctions of a real market, but in so doing it necessarily increased state control. The third, the least efficient and honorable, were collectively self-regulated markets such as those of the professions. Since these could not, or would not, accept the discipline of a real market, or even that of a quasi-market, they were necessarily suspect and the state was therefore entitled to impose a strict regulatory regime on them. Thus, though the government remained publicly committed to laissez faire, it could, quite consistently, also steadily...extend state control.

In practical terms, the corollary of this anti-professional ideology was to celebrate and encourage the construction of managerial hierarchies in all collegial, self-regulative and high-trust work settings and to elevate the power, incomes and status of their previously self-effacing managers, so that they could organize, measure, monitor, assess, reward or punish practising professionals. Simultaneously, of course, professional rules and conventions had to be devalued or discredited. In the past, all these services had relied on the discretion of those who ran them to determine proper standards of service and appropriate amounts of work and had trusted their members to enforce them. They had therefore depended on the initial socialization of their members, on internalized controls, on conventions, unwritten understandings and collegial opinion.

The Thatcher governments were unwilling to place any trust in any of these internal or collegial controls, indeed equated them with restrictive practices. They also rejected the idea that the motivations and ambitions of professionals were in any way different from those of other employees, or that they had a distinctive wage/effort bargain. In their view, professionals were the same as everyone else. Incentive and bonus payments, performance-related pay would increase professional productivity, just as it increased the productivity of other workers. Similarly, the idea that professionals were disinterested guardians of the public interest, who could be trusted to try and improve the service in which they were employed, was dismissed as a sham, a cover for professionals' own self-interest. Like everyone else, they would, unless otherwise checked,
exploit both the service they were supposed to run, and the people they were supposed to serve.

The success of the reforms depended to a considerable degree on the displacement of professional goals amongst professionals themselves and restructuring their ambitions and careers, so that they themselves came to believe that the more successful members of their professions were not those who actually cared for patients, taught children, tutored students but those who advanced up the new managerial ladders and controlled their former colleagues who continued to do these things. Thus, consultants, general practitioners and nurses were encouraged to apply for NHS management positions. General practitioners were encouraged to become 'fund-holding practices' or little businesses who would of necessity devote parts of their time to the management of the practice. Solicitors were discouraged from handling legal aid clients as part of their general practice, and encouraged to become managers of firms franchised by the Legal Aid Board. Headmasters of opted-out schools were to become managers responsible to something very like a board of directors. University department heads were no longer just senior colleagues but expected to exercise a full range of managerial powers, rewards and sanctions subordinate to their vice-chancellors who were in turn expected to have long abandoned teaching or research and become the divisional managers of those still engaged in it.

One can be more certain that this interpretation catches something of the essence of the Thatcher reforms by noting those professions, or segments of professions, that escaped altogether her reforming zeal. Accountants and engineers are the striking cases, and the common attribute which distinguishes them from all the professions we have considered here, is that the overwhelming proportion of their members were already employed in large enterprises and already therefore subject to managerial control. Large firms of solicitors also seem to have had little or nothing to lose from any of the Thatcher reforms. The special targets of the reforms were the original, independent fee-for-service professions (such as barristers, solo or small partnership solicitors and general practitioners) or those who, while formally subject to some administrative authority, had in practice established considerable areas of discretion and were controlled only by their professional ethics (such as hospital doctors, academics and to a lesser extent teachers).

4. Their historical context: the Glorious Revolution and the unwritten constitution

Observers and victims of the Thatcher reforms occasionally claimed that they were, in some sense, 'unconstitutional'. Since Britain

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59 John White, 'An Unconstitutional National Curriculum' pp.113-122, in Lawton and Chitty, op.cit.; pp.137-151, Brian Simon, Bending the Rules: The Baker 'Reform' of Education, Lawrence & Wishart, London, 1988; pp.766-769, Zander, op.cit. The only government acknowledgement that any of their reforms involved constitutional questions was in the appointment of the Croham Committee on the UGC but, as noted above, the UGC was shortly afterwards abolished.
does not have a written constitution, they could not, of course, cite any supporting precedents nor find any institutionalized means to vindicate their views. The Lord Chief Justice of England considered the proposed reforms of the legal professions 'sinister' but, even with the help of an assembly of all judges of England, he could not cite a single precedent or say exactly in what respect any government proposal was unconstitutional. It is therefore something of a challenge to put these reforms in their historical context, to see how far they were unprecedented and in so doing try to account for the feeling that they were 'unconstitutional' or 'sinister.' The legal profession is the best starting point for this exercise since its history is well documented for as far back as we may wish to go.

When the Green Papers were published in 1989, commentators airily observed that it was the biggest shake-up of the legal profession in 100 years. It is difficult, however, to discover anything in 1889 or thereabouts to which they might usefully be compared. Presumably, those for whom a hundred years was more than a figure of speech, were referring to the work of the Judicature Commission which sat from 1869 to 1874. Although this commission abolished the declining order of serjeants, and eliminated the lay jurisdiction of the ecclesiastical courts which meant the end of their doctors (barristers) and proctors (solicitors), it had rather little impact on the other legal professions. In any case, it is not much of a precedent because it was mainly concerned with the structure and jurisdiction of courts. It did not set out to reform the legal professions at all, and did not of course, refer to other professions.60

The earlier, mid-nineteenth century campaign to reform legal education is perhaps a slightly better precedent since it was explicitly hostile towards the two professions and eventually raised questions about their corporate rights and powers.61 However, since it also was not concerned with other professions and since, over three decades, it remained a back-bench campaign and achieved very little, it hardly bears comparison with the 'onslaught' of the third Thatcher government.

To find a close historical parallel to the policies of the Thatcher governments we have to go still further back, not one hundred but three hundred years, and specifically to the Glorious Revolution of 1688-89 which founded the English professions in their modern, distinctive form. In the late sixteen seventies and early eighties, Charles II had begun to challenge, with writs of quo warranto, the legality of the charters of many bodies, the municipal boroughs, the City of London and its companies. Given the changes of regime over the preceding forty and more years, there was considerable uncertainty about many of them. Charles' primary aim was to control the chartered municipal boroughs and thereby the nomination of their members of parliament. Before being reissued the charters were


61 pp.63-76, ibid.
rewritten to ensure that royal nominees effectively controlled the boroughs' governing bodies.

The major confrontation of this campaign took place in the King's Bench in 1683 and pitted the crown against the most powerful chartered body of them all, the City of London. Counsel for the city rested his argument on precedent. The king, he argued, could not take action against chartered bodies because they are 'invisible, immortal, cannot be outlawed, cannot commit Treason or Felony, cannot be excommunicate, hath no Soul, cannot do Fealty, cannot be imprisoned, are not subject to Imbecility or Death.' Counsel for the King replied that 'if charters be not forfeit, there would be so many little commonwealths, by themselves independent of the Crown, in defiance of it, little republics would spring up all over the Kingdom which would not be conducive to good government.'

When the verdict went against the city, a large number of bodies surrendered their charters in the hope that might receive better treatment at the hands of the king. When his brother James II succeeded him, he vigorously prosecuted this same policy against all the lesser governments in the kingdom, including the three medical professions, the Royal College of Physicians, the London Society of Apothecaries, the Company of Barber-Surgeons and even beyond to the chartered American colonies.

The inns of court and the universities could not be challenged by writs of quo warranto since their autonomy depended on custom rather than a charter. However, Charles II had begun to extend royal control over the benches, the governing bodies of the inns by appointing increasing numbers of king's counsel and by insisting that they be given precedence and James II continued this policy and sought to extend his control over the universities by means of special commissioners to exercise visitatorial jurisdiction. His celebrated confrontation over the appointment of the President of Magdalen College, Oxford in 1687 rehearsed the same arguments that had been used against the city of London. 'Yours', one of the commissioners told the assembled fellows, 'like all other Corporations, is the Creature of the Crown; and how then durst you make your Statutes spurn against

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62 The trial, the circumstances leading to it and its consequences are discussed in detail pp. 28-54 Jennifer Levin, The Charter Controversy in the City of London 1660-1688, Athlone, London, 1969.


their Maker? Obviously, there was rather more at stake than the control of parliament, and more than the promotion of Catholics, since the campaign had touched the relationship between state and civil society at so many points. Charles and James, it seems clear, intended to restore something resembling the 'thorough government' for which their father had lost his head. France was their inspiration for this kingship and Scotland their prototype. England was to be brought into line.

The rewriting and re-issuing charters was still continuing when news of preparations of William of Orange's invasion of England reached James. In a vain attempt to rally support, he hurriedly returned the surrendered charters, many of them in their original form. The inns had already decided to contest the precedence of king's counsel on their benches. The return of the charters, however, did little to save James his crown and the autonomy of the chartered bodies was finally established and legitimized by the Glorious Revolution and the promise of William and Mary to defend 'the liberties, privileges and the protestant religion of the English people.'

Amongst these 'liberties and privileges' were the rights of chartered bodies to self-government. In the subsequent three centuries, dozens of occupations sought to follow the precedents of barristers and physicians and establish comparable institutions of corporate self-government that would enable them to control the admission, training and certification of future members, to defend and regulate their work jurisdictions, and take collective action to enhance their status. Surgeons were the first to do so, and made a spectacularly rapid ascent, by professional standards, to join the physicians as a chartered royal college in 1745. Attorneys and solicitors had a longer struggle. Although their voluntary efforts to regulate admission and conduct of members received some statutory support in the second quarter of the eighteenth century, they were not granted formal charter powers as a self-governing body until 1821. Civil engineers first formed a voluntary association in the 1780s and became a chartered institute in 1828. In the late nineteenth and

65 James himself had earlier visited Magdalen and warned the fellows 'you have done very uncivilly and undutifully... Ye have been a stubborn and turbulent College. I have known you to be so these six and twenty years.... Get you gone and know I am your King. I will be obeyed.... Go and admit the Bishop of Oxford (as President) Let them that refuse it look to it: they shall feel the weight of their Sovereign's displeasure.' pp.452-457, Charles Edward Mallett, A History of the University of Oxford, Vol II, The Sixteenth and Seventeenth Centuries, Methuen, London, 1924.

66 The Kings Bench decision of 1683 against the City of London was comprehensively overturned by statute 2 W & M c8 in 1689 which 'reversed and annulled... all charter, Grants, Letters Patent and Commissions touching or concerning any of their Liberties or Franchises or the Liberties, Privileges, Franchises, Immunities, Lands, Tenememts, Heriditaments, Rights Title or Estates...' and extended the same annulment to all the city's companies pp.171-3, The Statutes of the Realm, Vol. 6, Printed by Command of His Majesty George III, London, 1819.
early twentieth century a host of new occupations followed suit,
about 14 per decade by Millerson's count.67

The process has continued in modern times. The Royal College of
Nursing was incorporated in 1928 and was chartered as a royal college
in 1939, while that of midwives was incorporated in 1941 and became a
royal college in 1947. In 1987, after a long campaign to obtain
recognition 'for the professional side of computing' and credentials
and status comparable to those of lawyers and doctors, the British
Computer Society was awarded a Royal Charter. This defined the
profession of 'information systems engineering' and allowed the
society to accredit members and fellows and to monitor ethical
standards. It currently claims 32,000 members.68

As we have already observed when considering civil servants, nurses
and teachers, few of these occupations could hope to emulate the
original fee-for-service professions. For the most part, they
consisted of salaried employees who could not collectively control
their admission, training and jurisdiction as effectively as
barristers and physicians. They therefore had to adapt and amend the
two original models to fit their own particular circumstances and
they have done so to varying degrees, in a great variety of partial
and hybrid forms. In the present context, however, the important fact
is not the failure to replicate the original models, but the enduring
appeal of the original institutions and ideals, and the ever-renewed
efforts of a host of occupations to emulate their solidarity, their
forms of government, and their status.

Mrs Thatcher once characterized Victorian values in terms of the
self-help of entrepreneurs but, in numerical terms, the educational,
ethical, status ideals of the professions seem to have been a far
more important expression of those values. And, it seems safe to say,
that their cultural impact was also far greater since professionals
had a decisive influence on so many British institutions: the civil
service, the universities, schools, the courts, hospitals and medical
care. Indirectly, via accountants, engineers, solicitors and
personnel managers, they even helped to reshape the organizations
that self-helping entrepreneurs had themselves created. Moreover,
professional values and institutions, unlike those of entrepreneurs,
ever generated an organized opposition or a counter-ideology, and
were never, until the Thatcher era, subject to legislative
intervention and regulation.

Right through the eighteenth, nineteenth and twentieth centuries,
attempts to organize, represent and regulate professions had the
support of governments of whatever party and whatever hue. They
advanced unchallenged and unobserved. The rise of the Labour Party
threatened them not a bit. On the contrary, the Labour Party's
foremost ideologue, R.H.Tawney, extolled the virtues of

68 The Times, September 28th, 1989. In 1986 the de Ville committee reported that
there were then 76 chartered professions, Review of Vocational Qualifications: a
report by the working group for the Manpower Services Commission, Her Majesty's
professionalism. His vision of socialism was not of class war and class victory but the professionalization of everyone. Labour governments were, if anything, even more sympathetic than the conservatives to professional aspirations. It was the Attlee government that created the National Health Service in a form that was peculiarly supportive of professional self-government and laid the foundations for the 'consensus management' introduced by the Wilson government. It was also the Attlee government that gave the Law Society, the solicitors' professional association, responsibility for administering and disbursing public funds for legal aid. And there are reasons for thinking that the appeal of the original distinctive 'public corporation' form of nationalization in Britain was precisely because it offered the best prospect of professionalizing the industries taken into public ownership.

This long-term, cross-party support for professional self-government is distinctively British. No societies outside the English-speaking world have developed professional institutions which enabled practitioners collectively to control their members' education, licensing and conduct to the same degree. In most continental countries professional organizations were, from the very beginning, more dependent on, and more closely regulated by, the state. Under the ancien regime, France had self-governing professions that bore some comparison with those of England but these were all destroyed during the revolution and replaced, for the most part, by state-organized and state regulated professions.

After independence, the new United States began to develop their own distinctive forms of professional organization and government as a result of revolution. Bar rules and associations modelled on those of the English bar that had survived from the colonial era, were popularly attacked as 'aristocratic', 'undemocratic' and 'unrepublican'. As a result, the new state legislatures outlawed bar admission rules and allowed anyone to practice law. Existing bar associations thereupon collapsed. In the same spirit, state legislatures later attacked the medical profession and the lifetime appointees in the civil service, a rudimentary public service profession. These attacks on professional self-government might, in fact, be seen as the final stages of the Declaration of Independence, since they altogether eliminated the English pattern of professional government from the new republic and initiated a relationship between the state and civil society quite different from that which continued to develop in England. In time, they enabled the universities and state legislatures to create indigenously American forms of professional education and professional organization without regard for self-governing bodies of practitioners.

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70 Michael Burrage, 'Nationalization and the Professional Ideal' *Sociology*, 1972.

71 Advocates were the notable exception. For a vivid account of their struggle to regain their autonomy after the revolution Jules Fabre, *Le Barreau de Paris, 1810-1870*, Delamotte, Paris, 1895.
Ever since the Glorious Revolution therefore, the English have been
developing a quite distinctive form of professional organization. The
unwritten constitution which derived from this revolution extended
far beyond the relationship between crown, parliament and the courts
and also embraced these lesser forms of government. The repeated
chartering of professional bodies enables us to identify three
cardinal principles of this part of the unwritten constitution.
First, whenever a group of leading practitioners of a hitherto
unorganized occupation gives reasonable evidence that they represent
that occupation, they should be granted appropriate powers, by
charter, to govern it. Second, professions should thereafter be left
to define the public interest in all matters that fall within their
jurisdiction. Third, unless they could demonstrate an overriding
public interest, governments should thereafter only interfere in
their affairs with the express consent of their governing bodies.

All governments from the Glorious Revolution until the election of
Mrs Thatcher abided by these principles and the fact that they have
never been a matter of political debate in England suggests that they
embody widely shared ideals and aspirations, that they are the 'deep
structures' of English life. Better than anything else, they explain
many of the cultural and institutional peculiarities of English
society to this day. The notion that empirical, experiential
knowledge is superior to theoretical, school-based knowledge is, for
instance, deeply embedded, indeed institutionalized, in the admission
and training requirements of both the bar and...the medical
professions, and may well explain why the English are a rather
'uneducated' people. The assumption that it is right and proper for
practitioners of an occupation to exercise sovereignty over their
work jurisdictions is found among both the professions and trade
unions, and may reasonably explain the development of rigid,
institutionalized divisions of labour in both industry and the
professions and, correspondingly, the rather weak legitimation of
managerial authority. In all probability, such beliefs also explain
the so-called 'class' system of Britain which has little in common...
with Marxist notions of a bourgeoisie and proletariat, but seems to owe much to the collective efforts of professions and trade unions to instil, uphold and institutionalize notions of their proper status.

Above all, they help to illuminate the distinctive form of state-society relationship in Britain, in which the state has frequently exercised public power and fulfilled public responsibilities through various kinds of voluntary, lay, representative associations, organized by society itself. The professions are merely one example of this kind of association, members, one might say, of an extended kin network of institutions which includes the jury and inquest, instruments of British colonial expansion such as the chartered trading and colonial companies, chartered municipal boroughs, universities and royal commissions, the UGC in its original form, public corporations, especially the BBC, and a variety of other bodies delegated public powers such as the Stock Exchange, the pre-1948 Bank of England and the Jockey Club.

Whether the attacks on the professions were for good or ill, overdue or undeserved, are difficult questions and for another occasion, though one may note that there is no reason to assume that the answers will be same for every profession. My present purpose is simply to identify what was happening during the Thatcher years and to put these reforms in their proper historical context, which is to say to identify correctly their precedents so that one may better judge their nature and scale, how far they broke with the past and what they portend for the future.

The later Stuarts are, I think, the only precedents. There is no need to exaggerate the similarity and to suggest that the 'thorough government' of the Stuarts was much the same as Mrs Thatcher's 'firm government'. There may have been certain temperamental resemblances between her and Charles II who, according to Clarendon, 'had in his nature so little reverence and esteem for antiquity, and did in truth so much contemn old orders, forms and institutions.' But it would be far-fetched to suggest that she harboured similar absolutist aspirations. There is, however, a clear historical parallel in the way both turned the power of the state against voluntary, self-governing bodies that had developed within civil society. The forms of English professional self-government were never questioned or threatened in as comprehensive or principled a manner in the three hundred years between one regime and the other. The Stuart writs of quo warranto questioning the legality of the charters of cities, boroughs and professions had their counterparts in the 'writs' or reports presented by the directors of Marks and Spencers, Sainsbury's and Reed Paper, Messrs Rayner, Griffiths and Jarratt, which questioned the way the civil service, NHS and universities were run. There was nothing comparable in between.

It is therefore entirely understandable that the Lord Chief Justice and others should consider her reforms 'unconstitutional' or 'sinister'. Under Mrs Thatcher's guidance, the state was extending its power in a wholly unprecedented ways, contravening provisions of

the unwritten constitution that had governed state-profession relationships since the Glorious Revolution. Moreover, her governments ignored the previously accepted forms of consultation, deliberation and research that had preceded fundamental changes in professional institutions, that is by royal commissions or departmental committees. These were broadly representative of articulate public opinion, and usually made determined efforts to identify the public interest. And since they typically invited anyone and everyone to submit evidence, as well as conducting their own research, they provided a form of public participation in public policy making.

For Mrs Thatcher and her ministers, deliberation was evidently considered a form of delay, consultation a sign of weakness. Their favoured form of research was limited and technical, concerned with means rather than ends, and her government's research was usually therefore conducted by management consultants. Such research presumed that the public interest had already been determined elsewhere, and had no need, or place, for public participation. The Griffiths Report on the NHS was completed in just four months in the form of a twenty page letter to the Secretary of State. The introduction of a national curriculum had generated a great deal of debate and research over the previous two decades, but the second Thatcher government 'suddenly discovered that the whole thing could be done in a trice, it was simplicity itself'. Teachers and academics were allowed part of the summer vacation to respond to the Education Reform Bill and the legal professions just three months to reply to the most radical series of reforms in their history. In both manner and substance therefore, historical precedents did indeed 'count for nought'.

5. Public politics, private politics and trade unionism

Having considered the intent and ideology of the reforms, the logical next step would be to try and assess their impact. There have been a number of efforts to do so. In the nature of things, these can only be preliminary and tentative assessments. None of them enable us to clearly identify changes in professionals' attitudes, behaviour and relationships, in their workplace culture, which is, after all, what the reforms were all about. More time is still needed both to allow

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76 For a review and commentary on the government's use of management consultants between 1985-1989 see pp.2-4, Socio-Legal Newsletter, 3, Socio-Legal Studies Association, Oxford, Spring, 1990. There were 23 major contracts, most of them to the consulting arms of accounting firms, and their total cost was 'at least' £2.7m.

77 It was perhaps not surprising that this 'instant national curriculum' was virtually identical to that proposed by the Board of Education in 1904, for a perceptive comparison see p.22, Aldrich, op.cit.

the reforms to have their full effect, to become normal institutional routines in their working lives and for professionals to determine their response to them. I will therefore comment only on the professions initial, collective responses and speculate about their probable future conduct.

Professional bodies were predictably and almost uniformly hostile to the reforms.79 Their reactions fell into three categories. The first was to try and mobilize public opinion to have the reforms amended or abandoned. The second was to negotiate amendments during the implementation of the reforms to try and limit or sabotage their original intent. This is also politics of a sort but the traditional, private micro-politics of the professions, confidential, closed and continuous. The third was to take up a defensive, adversarial stance at the workplace, and resist and undermine the implementation of the reforms 'on the shopfloor', in the manner of trade unions.

Apart from civil servants, all the professions initially made some kind of public political response. In 1986 the Royal College of Nursing ran a mass advertising campaign against the implementation of the Griffiths Report and their grading, a campaign which, incidentally, made a direct appeal to the unwritten constitution with the slogan 'nursing should be run by nurses.'80 Nurses also organized demonstrations, lobbied their MPs at Westminster, and their trade unions organized sporadic industrial action. During their contract dispute, the BMA also sought to mobilize public support by mass advertising, through a small group hastily formed a 'Doctor's Party' which promised to field 40 candidates in the forthcoming election, including the constituencies of Mrs Thatcher and leading members of her government.81 After the publication of the green papers, the bar similarly launched an extensive and expensive advertising campaign, which urged members of the public to write to their MPs. They also organized protest meetings of their members and held press conferences to voice their concerns, which was for them a rather bold innovation.

It is, of course, difficult to assess the impact of such campaigns. Those of the doctors and nurses seem to have been more persuasive than that of the bar. They both provoked parliamentary discussion, and polls showed consistent and overwhelming public support for the

79Not, of course, in every single particular. The Law Society welcomed the extension of the rights of audience for solicitors promised in the Court and Legal Services Bill. However, as explained above, it opposed several other provisions in the bill. The medical professions claimed medical audit for their own, while opposing the reforms as a whole.

80Under a three-quarter page picture of a nurse, the copy read 'She has great faith in the NHS (Which is more than the NHS has in her).... In more and more health areas, professional managers have taken it upon themselves to decide that nurses cannot run nursing...' see The Times, Jan 16th, Jan 20th 1986.

81For a retrospective account see 'Election 1992: GPs party disappears into political oblivion' The Independent, 23rd March, 1992.
However, even in their case, they could not stop the reforms and it is difficult to identify any single amendment of the reforms that might be attributed to them. The bar’s campaign was widely considered to be counter-productive, and provoked not the least indication of public sympathy or even interest. The other professions also seem to have been unable to stir public opinion. They never caused the government much discomfort or embarrassment during the passage of the legislation and never made their concerns a political issue. Public politics is clearly not the professions’ strong suit.

This is hardly to be wondered at. In the past, the prerogatives of the professions rarely required them to mobilize popular support. Intermittently, they had to defend their interests publicly - if the measured, decorous proceedings of royal commissions may be called ‘public’ - but they were seldom required to persuade and mobilize mass audiences. They only required tacit public approval, or more accurately, the absence of public disquiet. Obviously therefore, they were going to be at a disadvantage when the Thatcher governments, at a moment of their choosing, pitchforked them into the public arena, and required them to defend themselves against a government with a clear parliamentary majority which was also, in most cases, their employer. The outcome of such a confrontation was never in much doubt.

The NHS reforms became a political issue during the 1992 election campaign, when the Labour Party recognized that there was considerable public support for the medical professions and presented a platform distinctively sympathetic toward them. It pledged to create a ‘GP-driven’ health service which would enable GPs to veto health authorities’ plans, to renegotiate their contracts and to develop their own health promotion work in their own way. Labour also promised to abolish fund-holding general practices, NHS Trust hospitals and the internal market, and to bring back local authority representation within the NHS. However, Mrs Thatcher’s successors

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82 Polls taken during the 1992 election campaign showed that 56% of the electorate, and 33% of Conservative voters, wanted the health service reforms to be scrapped. 30% wanted them to continue. ‘Poll shows Major’s popularity on the wane’, The Independent, 26 March 1992.

83 Academics held a rally in Albert Hall and lobbied Parliament and briefed members of parliament. This may have helped to secure a number of minor amendments in the Lords. These are described in ‘Chalking up the Victories’, p.8, AUT Bulletin, October, 1988. However, this review candidly concludes that ‘While universities may have emerged victorious from some battles they, in common with other sectors of education, have lost the war.’

84 They enjoy a public esteem far greater than that of any other profession. John Jenkins, Eleni Skordaki and Carole F. Willis, Public Use and Perception of Solicitors’ Services, Research Study No.1, Research and Policy Planning Unit, Law Society, 1989. This survey found that doctors were ‘easier to talk to’, ‘easier to understand’, more ‘efficient’ and far more ‘hard-working, dependable’, ‘up to date’ and ‘honest’ than other professions.
sensed the political danger and backed away from any further confrontation with the NHS professions, or anything that might be construed as such, prior to the 1992 election campaign.  

Their victory in the election gave the reforms added legitimation. Several professions have acknowledged as much. Shortly after the election, the major teaching and health professional associations, evidently abandoned their principled objections to the reforms and their hopes that they might not be implemented at all, and indicated that they wanted to negotiate with the government about how the reforms might best be implemented. For the moment, the reform of the professions is not a live political issue.

It would be premature, however, to conclude that these reforms will never again become part of public political debate. The trauma of the Thatcher era seems to have made all the professions more concerned about their public image and public support. It alerted them to the dangers of being without the support of the publics they served and to the impossibility of trying to mobilize that support overnight. In the future, it seems reasonable to suppose, they will be rather better prepared so that the government will not be able to claim that it speaks on behalf of sleeping constituencies of patients, parents and litigants. The professions' expensive advertising campaigns were an indication of their determination to address a wider public, if not of their skill in doing so. Their associations have been undergoing fundamental organizational changes during the Thatcher decade, so that they might in the future be pro-active rather than reactive, and more willing to lead their members rather than waiting for members' concerns to register and accumulate through their inevitably protracted representative procedures.


87 See for example 'Teachers reject call to boycott appraisals, The Independent, 20th April, 1992; 'Teachers turn from battle' The Times, 21st April, 1992; 'Teachers reject fight over work appraisal' The Independent, 25th April, 1992 in which the general secretary of the National Association of Schoolmasters and Union of Women Teachers is quoted as saying 'We tried to stop appraisal but we have failed. Now all we can do is limit the damage. Things are frankly unchangeable for the next five years.' The doctors were obviously less willing to accept that the election gave the government a mandate to implement the health service reforms and passed a vote of no confidence at a special BMA conference some two months later. However, it is notable that by that time the GPs remained the 'only big group of medical staff...trying to reverse the reforms.' The Times, 25th June, 1992.


89 These changes were often piecemeal, extended over the decade, have yet to be documented. One instance was the radical reorganization of the government of the bar in 1986. Having ignored public opinion throughout its entire history, it then
The prospects of such a strategy will be much greater if the Labour Party were to decide that it makes electoral sense to be especially responsive to the concerns, not just of doctors, but of all professions and semi-professions, and were to define itself as a party, not of the working class, but of workers or employees in a broader sense, committed, not to state socialism, but to the diffusion and delegation of state power in the spirit of the unwritten constitution. This might not be such a bad strategy, given that the Conservatives have increasingly defined themselves as the party for customers, in the sense that almost every social role, that of patient, litigant, defendant, parent, student, welfare recipient and even voter, has been assimilated to that of a customer in a shop, and every professional role to that of a shopkeeper. There is space for a strategy of this sort. It might build on the existing measure of public support for the prerogatives of doctors, nurses and even teachers. The professional disaffection with Thatcher reforms seems already to have prompted a shift of their vote to Labour.

Irrespective of the Labour Party's response, it seems reasonable to predict that in the longer run the professions will be more politically active and involved. In the immediate future no doubt, they will continue to rely, wherever possible, on their traditional 'private' politics, on negotiations with government departments. Their power in these closed relationships has rested on their permanence, their persistence and their specialist knowledge. Governments come and eventually go, or find other issues. Professions remain, their goals pretty constant, their patience inexhaustible. Most of them built their institutions and protected themselves against external intervention over generations. Barristers and solicitors defined their respective roles and jurisdictions over two

sought, almost overnight, to create a governing body which would represent and speak for the whole bar to government and public opinion. See the arguments and proposals in Senate of the Inns of Court and the Bar, Report of the Committee on the Constitution of the Senate, Chairman: the Rt. Hon. Lord Rawlinson, London, 1986. Another example is the creation of a Research and Policy Planning Unit by the Law Society in 1987. This unit has continuously published reports and surveys about the profession and its work. To document this point fully, however, would require an analysis of the staffing, income and organizational structure over the decade.

For instance, in October 1987, when the government was still fresh from its electoral triumph, had introduced its reform bill and had been campaigning for months about the failings of schools and teachers, a Gallup poll in the Daily Telegraph nevertheless found that 46% of a national sample stated that 'teachers should wield the greatest influence over running schools', 25% thought local authorities should, 19% parents and only 5% thought the government should. This poll is discussed in detail in p.35, Simon, op.cit.

In 1992 only 28% of doctors intended to vote conservative versus 51% who had done so in 1987, while 37% intended to vote Labour versus 20% in 1987. See 'Election 1992: NHS changes push doctors into the arms of Labour: 'Independent' survey shows a dramatic change in voting intentions among the medical profession', The Independent, 2nd April, 1992. The voting intentions of university staff showed a similar, though less decisive, shift. Whereas in 1976 26% intended to vote Conservative, in 1989 only 18% intended to do so. The intended Labour vote rose from 35% to 37%. p.240, Halsey, op.cit.
hundred and fifty years. Moreover, governments, at least British governments, do not have the professionals' specialist knowledge in-house and therefore at some time or other come to depend on their knowledge and support. Their specialist knowledge also gives them power at the immediate workplace which is difficult to disturb or dislodge. In a sense then, the professions have only begun to respond to Mrs Thatcher's incursions. It would be a mistake therefore to think that legislative walkovers will translate into easy managerial triumphs.

Public politics was never an option for higher civil servants, so they necessarily depended on private action. The so-called 'reign of terror' of the early Thatcher years, was widely thought to be responsible for the spate of leaks of confidential documents to the press and the exodus of a good number of promising middle-level civil servants to the city, industry, local government and the universities. However this may be, higher civil servants later responded with a strong reaffirmation of their traditional values and ethics, led by the head of the Civil Service appointed by Mrs Thatcher herself. While admitting that 'over an enormous range of things we are like the private sector', he nonetheless argued that 'people do expect a certain standard of equity and ethics from the Civil Service so we have certainly got things to hang on to.' And as though to contradict the Thatcherite assumptions, he defended 'a commitment and conscientiousness to the public service which will not require personal gain or personal advantage to generate high motivation or sustained performance.' Comments of this kind led Hennessy to conclude that 'the Northcote-Trevelyan settlement would endure.'

Whether the longer-term impact of executive agencies will be able to create, as Rayner hoped, a civil service with an entirely different work culture depends on how the Treasury exercises its powers and on the ability of trade unions to maintain uniform pay and conditions of their members in different agencies. The majority of new agencies appear, in fact, to have been granted a rather qualified form of independence. A survey in March 1991 reported a continuing 'hands on' attitude of both 'parent' departments and the Treasury. Relations with parent departments were the second most important preoccupation of chief executives, virtually all of whom reported weekly contact with departmental officials, while a quarter had weekly contact with ministers. 'Most' the authors conclude, 'do not yet fully think and operate as businesses.'

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92 pp. 673-5, 681-2, Hennessy, op. cit. It may be that the professionalism of the unified grades will even increase after the hiving-off of executive agencies, since they will then be able to concentrate on the core professional role of policy advice and not have to concern themselves with what they often viewed as tedious, managerial chores.

93 Civil and Public Services Association, op. cit.

Better examples of the way in which private politics have limited the scope of the reforms are to be found, as one would expect, in the medical and legal professions. They have been at it longest. The royal colleges were able to exclude managers from the selection, promotion, evaluation and disciplining of consultants and general practitioners. Moreover, medical audits were to be conducted by the professions themselves and though they agreed that managers were to have access to them, the Joint Consultants Committee was still negotiating with the government 'about how much and what information should be passed to managers, district health authorities and the public. Health service managers must, therefore, do without the final sanctions that sustain managerial power elsewhere. Presumably, therefore, they will adopt a more collaborative, or dare one say it, 'consensus' style of management, or risk being confined to somewhat peripheral managerial tasks.

Lawyers, as we have already seen, were able privately to secure a number of amendments to the proposals in the Green papers before the introduction Court and Legal Services bill and they have continued to push for further concessions after its passage. Thus the requirements that prevented 'assembly line' conveyancing by banks and building societies were initially only temporary. However, the Law Society's persistence on this issue was rewarded. In March 1992, the Lord Chancellor announced that he would no longer attempt to find a way around this particular conflict of interest problem. Solicitors can therefore rest secure facing only the modest competition of licensed conveyancers. The issue that most concerned the bar, rights of audience for solicitors, is still (in June 1992) under discussion and negotiation. The Lord Chancellor's Advisory Committee initially ruled in favour of allowing rights of audience to suitably qualified solicitors in private practice but refused to grant them to employed solicitors, including the Crown Prosecution Service. The longer-term

95 The profession was far from opposed to the idea of audit, indeed it not unreasonably claimed that 'reference to it can be found in the Charter of the Royal College of Physicians of 1518'. Their representatives have, however, insisted that 'the technical competence to assess the quality of medical care belongs to doctors and that they feel very strongly that dealing with doctors who decline to take part in the newly organized procedures...should be kept within the professional body.' They proposed therefore that the committees actually carrying out the audits should be composed exclusively of doctors, that their work should be clearly intended for educational rather than disciplinary purposes, that their proceedings should be confidential, and that their reports should be written in a form that makes it impossible to identify either patients or doctors. For further details see pp.3,15-16, Department of Health, The Quality of Medical Care: Report of the Standing Medical Advisory Committee for the Secretaries of State for Health and Wales, HMSO, London 1990; Department of Health, Health Circular HC(FP)(90)8 HC(90)15, Health Service Developments- Working for Patients: Medical Audit in the Family Practitioner Services; 'Doctors to monitor each other to improve standards of medical care', The Times, 20th December, 1991. A joint steering committee is still (June 1992) deliberating on these matters.

96 There were other factors. The recession had tempered the enthusiasm of building societies and banks to embark on new activities and a general election was imminent. The Independent, 12th March, 1992.
impact of the reforms depends on the relationship between the Lord Chancellor’s committee and the panel of senior judges.

Newer professions such as academics, teachers, nurses, lower civil servants never depended as much on private politics. Trade union forms of defense are more common amongst these and other public sector professions because they face a single employer, the state. As the legal professions came to depend more on legal aid, they too began to behave more like trade unions. There is a fair likelihood of further extensions of trade union forms of action given the striking resemblance, in both the philosophy and techniques, between the Thatcher reforms and those which industrial managers tried to impose on manual workers earlier this century. Thatcherism ought perhaps to be recognized as one of the intellectual heirs of Taylorism. There is, in any event, a strong whiff of 'scientific management' about her reforms in that they encouraged the precise definition of jobs, imposed rules on hitherto discretionary tasks, installed measures of individual productivity, of timekeeping, and payment by results. In many respects, they are a re-run of Taylor's methods, the only difference being that they are backed by the power of the state.

For generations British trade unions responded to managerial initiatives of this kind by a host of defensive measures to resist or manipulate the incentives offered by management, to defend their notions of 'a just rate' and throughout stubbornly contested the legitimacy of managerial authority in matters that concerned the performance of their own work. The distinctive British pattern of labour relations was a response to this confrontation: tranquil and tolerable as long as management accepted worker prerogatives but continuous warfare when it did not. Mrs Thatcher sought, of course, to change this distinctive pattern of industrial relations but it seems likely that in professional work settings she has reproduced exactly the same conditions that gave rise to it in the first place. The effect of her reforms may therefore be to bridge the enormous gulf that once separated trade unions from professions and create a

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97 Teachers were, however, able to secure the concession from Sir Keith Joseph that appraisal would not be linked to pay, promotion or to disciplinary proceedings and this apparently still holds 'Teachers turn from Battle', The Times, 21st April, 1992.

98 In the United States Taylorism, with the impetus of the Progressive movement behind it, quickly spread to the public service. In the 1920s between 40% and 50% of American school districts had performance-related pay for teachers. Subsequently, these all but disappeared until the launching of the Soviet Sputnik. In 1968 some 11% of school districts had merit pay systems. By 1978 the number had again shrunk to 4% and by 1985 to under 1%. Jacobson concluded that 'there is little to encourage the belief that performance-related pay plans can effectively improve teacher performance.' pp.41-2, Stephen L. Jacobson, 'Performance-related pay for teachers: The American experience', in Harry Tomlinson, Performance-related pay in education, Routledge, London, 1992. The common Taylorist influence helps to explain the resemblances between Thatcherism and American Progressivism.

wider, more professional, trade union movement. In any event, the
professions will now have to fight the kind of battles for workplace
autonomy that manual workers fought in the past. Since they are at
least as well organized and have no less a degree of solidarity,
there is a reasonable possibility that they will respond in similar
ways and 'play the game' just as well.

Some have already begun to do so. Doctors have decided that if they
are treated like contracted employees, then they will behave like
them. In a BMA poll in January 1992 an overwhelming majority of
doctors declared their unwillingness to continue to accept 24-hour
responsibility for all their patients, a commitment that goes back to
the origins of the NHS. As industrial sociologists have repeatedly
discovered, increased managerial pressure generates new managerial
tasks- in this instance the not inconsiderable task of providing
night-time and holiday cover, with a shared responsibility, for the
entire population. In a similar manner, nurses protested against the
clinical grading by using the appeal procedure to the full. By
February 1990 well over 137,623 nurses, which is over a quarter of
the nursing workforce, had lodged appeals against their grade, more
than a quarter of which were still outstanding and just under 20% had
been successful. In due course, this strategy will presumably be
exhausted but some nurses have already indicated that they, like the
doctors, will respond in kind and henceforth 'work to grade' i.e
exactly according to what the grade criteria specify and therefore
refuse to cover, as they did in the past, for nurses in another
grade.

There is still no evidence about the effect of national curriculum,
national testing, published school evaluations and local management
on teachers' behaviour. There have, however, been a few early
indications of a 'trade union' response among some of the education
professions. A number of local education authorities, for instance,
tried to sabotage open enrollment by setting very low enrollment
limits for their schools, thereby leaving themselves free to allocate
the vast majority of students in the normal way. The government
rushed to close this loophole by requiring that these limits be no
lower than those set in 1979. In a few cases, education officers
and teachers raided schools that had opted out to recover property
they deemed belonged to the local authority. To arbitrate such
disputes and prevent 'asset-stripping', the government established an

101Harriet Gaze, 'Fair Deal on Appeal: The Forgotten Fifty Thousand', pp.28-31,
Nursing Times, February 7th, Vol. 86, No 6, 1990. By June 1992, the figure had been
reduced to 30,000 though at the present rate of handling them, they would not be
finally settled until after the year 2000. Personal communication, Jamie Fleming,
Royal College of Nursing.
102a strategy supported by the two unions but opposed by the two royal colleges
Tim Rice, 'Torn between grades' pp.18-19, Nursing Standard, Issue 7, Vol 3,
103pp.174-8, Simon, op.cit.
The response of the universities to the attempt to establish a new contractual relationship between UFC and the universities might be included under the same head. In 1991 when the universities all bid at or near the guide price, the effort was abandoned. It now remains to be seen how many will competitively bid down the unit of resource on the uncertain prospect of an increased grant for their efficiency in future years.

The likely overall effect of the reforms will therefore be to extend the range of professional action, to make professions rely less, or less exclusively, on private micro-politics and place more emphasis on public politics, or on trade union action at the workplace. These two strategies are not entirely consistent. Disagreements about their relative merits, and in particular about the use of strikes, is one of the main issues that still divides the teachers' and nurses' associations. However, if it is true that the professions have recognized the need for increased public support, strikes will become an increasingly less attractive tactic and the way will be open for a new politically active and effective professional associations.

Responses of professional associations, of whatever kind, were of little concern to the government since it assumed that these associations, apart from the medical royal colleges and the BMA, were politically insignificant. It also assumed that, like trade unions, they did not in fact represent their members and that it might therefore appeal for support over their heads to individual members of the professions. This second assumption is more debatable than the first. Professional associations can never, of course, speak for all their members and opposition to the reforms within the professions was, therefore, never as unanimous as their spokesmen made it sound. But it is impossible to say how much support there is for the reforms within the professions. Significant numbers of eligible general practitioners quickly opted for independent funding and hospitals for NHS trust status. A few schools opted out of local government control. These, however, are modest and highly

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104 The Times, Jan 26th op.cit

105 About 250 doctors dissented from the BMA opposition to the reforms and launched a campaign for their swift introduction. See 'Doctors launch rival group to back NHS plans, The Daily Telegraph, 27th November, 1989.

106 Out of approximately 10,800 general practices in England and Wales, 1621 have over 9000 patients and are hence eligible to become fund holders. In the period to June 1991, 306 opted to do so, and by June 1992, a further 280 had followed, which totals 36% of eligible practices. Of approximately 1650 eligible hospitals in England, 57 opted for trust status up to June 1991, and a further 103 did so in the following year. Four of these applications were refused. Since trusts may include more than one hospital, calculating the percentage of hospitals, or of beds is not at present possible. Data kindly supplied by Peter Simpson, Research Division, British Medical Association.

107 By June 1992, 200 out of 4200 secondary schools had done so. Two thirds of these have opted out of the control of Conservative councils. Peter Kellner,
ambiguous, indices of support and do not tell us whether the reforms have begun to change professional behaviour and aspirations. As already noted, this will only be known after several more years and thorough field research. Presumably, we will have some reason to think that changes of this kind were under way if membership of professional associations had begun to decline or if they had begun to splinter into rival factions and associations, or if relationships between associations in the divided professions had become more antagonistic. At the moment, there is no evidence of anything of this sort.

There is certainly no indication that professional aspirations have become less appealing in the face of the Thatcherite ideological assault. The more professional nurses' and teachers' associations both appear to have made substantial gains in membership over the Thatcher years. And as it happens, managers, the occupation which stands to benefit most from these reforms, has provided a curious demonstration of the continuing strength of the professional aspirations. A Charter Management Initiative launched in 1988 was intended as the 'first step towards giving all managers the opportunity to achieve professional status' by enabling them to obtain part-time cumulative, nationally recognized and transferable qualifications, in the manner of the older professions, and to develop a code of management practice. In due course, the initiative is expected to lead to the creation of a Chartered Institute of Management.  

5. Ironies of the Era: turning away from Japan and towards France

By any count, the Thatcher reforms of the professions are a decidedly odd and curious legacy of an era of Conservative governments. They confound all previous party ideologies, which do not lead us to expect that conservatives will concentrate and reinforce the power of the central state or that they will try to undermine intermediary associations and the lesser forms of governments. Normally, it is the left who have been suspicious of intermediate institutions, 'the little platoons' as Burke called them, in which civility is learned, and which, as Marquand puts it, protect the individual from arbitrary power, 'much as the ozone layer protects the earth from cosmic radiation'.


108 The resemblance cannot be pushed too far. The initiative appears to have less grassroots support than the traditional professions and to depend more on the support of large corporations see *The Times*, September 20th, 1989.

109 He cites Edmund Burke's observation that 'to be attached to the sub-division, to love the little platoon in society, is the first principle (the germ as it
Theories of the state, of class and of the professions seem equally at a loss to illuminate or explain these events. Theories of the state are too gross to register transformations of state-society relations in any one capitalist society. Class theories make little sense of the Thatcher reforms since in this instance, conservative governments were attacking the rights and privileges of a section of the electorate from which they normally expect considerable support. Some students of stratification have recently claimed that the professions belong to a so-called 'service class' but this kind of class analysis is confused and confusing. Under severe provocation for more than a decade, this supposed class failed to recognize its common plight or to display the least degree of class consciousness or class solidarity.

Theories of the professions fare no better. Most of them are written from the left and assume that relief or reform would come from that direction while the professions' natural allies, fellow agents in the reproduction of cultural capital, the defenders of their powers and privileges, are on the right. They also therefore leave us unprepared to analyse why a party so committed to capitalist values should also be so antagonistic towards the professions. If anything, these reforms only demonstrate the essential bond of Thatcherism and Marxism, the materialist view of human motivation and human relationships that they have in common. To both, professional ties are merely restrictive practices, organized for exclusively economic ends.

Since we cannot, for the moment at least, relate these reforms to any current theory of states, of classes or of professions, I will conclude merely by noting two of their ironies. Some have already been encountered in the course of the discussion. However, two seem especially worthy of comment.

The first is that a government that encouraged Japanese investment, and at times professed its admiration for Japanese management methods, should simultaneously have embarked on reforms whose guiding principles were the very antithesis of these methods. The striking characteristic of Japanese management, by most accounts, is the extent to which it reposes trust in its subordinates, all the way down to the shopfloor, and the way it seeks to impart to all permanent employees, a sense of shared, collective responsibility. By contrast, the Thatcher reforms seem rather archaic, a throwback to an earlier age of industrial management, which sought to seize control from the shopfloor, to reduce or eliminate workers' discretion and strengthen managerial power. The sub-text of the reforms is that substantial sectors of the British working population must not be trusted, that their discretion must be restricted, that they must be monitored more closely and made to work harder by incentive payments or the threat of dismissal. They were the realization of Theory X, that Macgregor thought he had discredited thirty years ago.110

The second irony is stranger still and less commonly observed. Among other things, Mrs Thatcher will surely be remembered for her opposition to the political integration of Europe as opposed to political co-operation between 'a family of nations', each, as she put it in her Bruges speech, 'relishing our national identity no less than our common European endeavour.... France as France, Spain as Spain, Britain as Britain, each with their own customs, traditions and identity'. However, her reforms of the professions hardly reveal any great 'relish' for our national identity. On the contrary, by concentrating and centralizing state power, they suggest that she really wished to make Britain more like France.

Many of the specifics have already been discussed. In education, the intent and effect of the national curriculum, of the creation of the UFC and PCFC was to undermine the prerogatives of local authorities, the corporate autonomy of the schools of education, polytechnics and universities and to increase the powers of the Department of Education and Science. Napoleon's Imperial University inaugurated an extreme form of central state control in which each faculty was centrally funded and controlled. There was, therefore, just one multi-campus university for the whole of France under the direction of a single rector. French universities have struggled to recover their corporate identity and independence ever since. The selective evaluation and funding of groups of departments by the UFC is a small but significant step towards that model of university governance, since the Secretary of State and his officials now take decisions about the balance and distribution of resources within universities that hitherto belonged to universities corporately. The Thatcher reforms have, in fact, given the Secretary of State significantly more powers over higher education than the French Minister of Education. He has become, so to speak, more French than the French since many of the grandes écoles are responsible to other ministries, and there is therefore a considerable measure of pluralism in French higher education.

Similarly in the law, she created a centralized prosecution service of a kind that has long existed in France and a Lord Chancellor's Advisory Committee with extensive powers over the legal professions comparable to those of the French Ministry of Justice. And her preferred form of professional organization owed nothing at all to English precedents of voluntary collective action. She invented 'licensed conveyancers', 'licensed teachers', 'licensed receivers' and wanted to create 'licensed advocates'.112 These were all, like

111 'Thatcher hits at Identikit European Union', The Times, September, 21st, 1988; 'Britain and Europe', Text of the speech delivered by the Prime Minister on 20th September, 1988, Conservative Political Centre, October, 1988.

112 'Licensed receivers' were created in 1985 though they had originally been proposed under the Labour Government. They were immediately absorbed by the 'big six' accounting firms and their professional association is dominated by employees of these firms. For further details Terence C. Halliday and Bruce G. Carruthers, 'The State, Professions and Legal Change: Reform of the English Insolvency Act, 1977-1986', Working Paper No.9019, American Bar Foundation, Chicago, 1990.
most French professions, emanations of the state, defined in law and permanently subject to public control.

It also seems easier to find French rather than English precedents for the view of state power that underlay all the reforms. The idea, for instance, that the state, alone and unaided, is able to determine the public interest, that it needs no legitimation other than a bare electoral majority, that the ballot box is the supreme and even the only form of representation, that there is nothing that the state need hesitate to touch, no limit on the powers it may accumulate, and that it has need to pay no attention to the way its powers may subsequently be exercised. Historically, it has been the French state that has been indifferent to the constitution of civil society, to intermediary associations and lesser governments that disperse and distribute power, since it has always wanted to exercise public power directly.

By giving the British people a brief foretaste of life under a French-style state, Mrs Thatcher may have made a rather significant contribution to the cause of European integration, but it has so far passed unnoticed and uncommended.