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THE  
PARLIAMENTARY DEBATE  
ON THE  
CIVIL SERVICE  
MARRIAGE BAR

APRIL 29<sup>TH</sup>, 1927

*For the Information of Women Civil  
Servants in the Clerical Grades.*

Issued by

THE CIVIL SERVICE CLERICAL ASSOCIATION,  
38A, ST. GEORGE'S ROAD, LONDON, S.W.1.

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# FOREWORD

Considerations of space have involved the elimination from this report of all those portions of the Debate without Civil Service reactions.

The C.S.C.A. attitude towards the existent Marriage Bar is indicated by the circular issued to all M.P.s on 28th April, 1927, quoted by Mr. Remer. That part of the circular not read by him is appended to this report.

Although the issue before the House on the 29th April was of vital importance to women Civil Servants, the C.S.C.A. alone amongst Service organisations with women members presented to M.P.s a reasoned statement on the question at stake or attempted to ascertain the views of rank-and-file women members as to the policy to be pursued with regard to the Bill.

The Federation of Women Civil Servants was the only Service organisation whose name appeared in the list circulated to M.P.s of those societies supporting the Bill.

These two points are of moment, having regard to the fact that the immediate removal of the Marriage Bar was only defeated by twenty-one votes. If the C.S.C.A. had not consulted as many rank-and-file women members as possible in the short time available and the women's grade committees, or had not taken prompt action on the lines desired by these women, Civil Servants would have found an issue vitally affecting them suddenly settled without any prior consultation of the rank-and-file women concerned.

CHRISTINE MAGUIRE,

2nd May, 1927.

Asst. Secretary, C.S.C.A.

**Extracts from the Official Report of the Parliamentary Debate on the Second Reading on 29th April, 1927, of the Married Women (Employment) Bill, designed to prevent public authorities, including the Civil Service authorities, from refusing to engage or to retain women solely on the ground of marriage.**

Sir ROBERT NEWMAN : I would like to begin my few remarks by briefly referring to one or two things that this Bill does not propose to do. It does not in any way whatever interfere with legitimate responsibilities and discretions of public authorities. It does not compel any public authority to employ a woman because she is married ; nor does it prevent them from dismissing a woman because she is inefficient. The only thing this Bill proposes to do is to confer upon married women the right that, I think, all citizens should enjoy, whether they are men or women, married or unmarried, that is, the right to work. That is the sole object of this Bill which, to my mind, is actually in the spirit of the Act which was passed by this House in 1919, entitled the Sex Disqualification (Removal) Act. That Act laid down that

“ A person shall not be disqualified by sex or marriage . . . from being appointed to or holding any civil or judicial office or post.”

Somehow or other that Act does not seem to have had much effect ; perhaps there may be some legal or other difficulty. I should like the House to examine for two or three minutes some of the grounds upon which, I imagine, opposition will be raised to this Bill. We shall be told, I suppose, by some people that the woman's place is in the home. Well, we may all have our opinions upon that subject. I dare say some of us would hold the opinion that, when a woman marries, it would be better for her to give up public life and retire, as we should say, to the home. But that is not the question which we as individuals have to decide. In my opinion, when a woman is old enough to marry, she is old enough to decide whether or not she shall continue in her occupation. At any rate, while I often hear the argument that a woman's place is in her home, as far as I can make out, that very seldom refers to women like charwomen, who go out to earn their daily bread at a very small salary—(An Hon. Member : “ And factory women, too ! ”)—and, as one hon. Member says, factory women, too. As a matter of fact, there are at the present time hundreds of thousands of women who are employed in earning their own living, and I believe

I am right in saying that something like half a million are married women. Therefore, it seems to me to be rather late in the day now to bring forward the argument that the place of a woman is in her home.

There is another point which, I suppose, will be brought forward. We shall be told that married women ought to be maintained by their husbands. I am not going into the details of that part of the argument, except to say that I think most of us men would certainly resent the idea that, because we happen to marry a woman, say, with money or otherwise, we should have all our private affairs inquired into, and that it should be decided by some public authority whether or not she should give up her occupation. What it comes to is surely this: Is there any justification either to refuse the appointment of a married woman because she is married, or to dismiss her because she is married? Is there any reason to do that, unless you can prove that when a woman marries she becomes less efficient? I am bound to say that I have too high an opinion of my many married men friends to think that such a disastrous thing ever happens. That is really the only argument I can see which would justify the dismissal of a woman merely because she happens to be married. There are other points which, I think, should be borne in mind.

*Notice taken at Twelve Minutes after Eleven of the Clock that 40 Members were not present; House counted by Mr. SPEAKER, and, 33 Members only being present—*

Mr. SPEAKER: I will now leave the Chair until I am informed that there are 40 Members present.

*At Five Minutes before Twelve of the Clock, Mr. SPEAKER again counted the House and, 40 Members being present, resumed the Chair.*

Sir R. NEWMAN: I almost forget what I was actually saying when I was counted out, but I think I was trying to emphasise the fact the argument that women are ineligible for employment on marriage is such a ridiculous argument that it really does not require refuting at all. I would remind the House that, while people talk about married teachers and other women employed in the public service, they are often quite forgetful of the fact that in other walks of life married women are playing a most prominent and conspicuous part. Take the medical profession. I think I am not wrong in saying that some of the leading lady doctors are married. You find them in Harley Street and in other places. If a woman can hold a high position in a highly scientific profession like this, surely it is rather ridiculous to say she is not qualified to

carry out duties in other directions. It does not only apply to the medical profession. Take the drama. Will anyone suggest that Miss Sybil Thorndyke or Miss Irene Vanbrugh, to mention only two, are not most distinguished members of that profession? Would any theatrical manager who is fortunate enough to get those ladies' services say they were not efficient? The whole argument seems to me to be based really on the most flimsy grounds. Let us come to our own House. I do not know whether it strikes hon. Members as rather extraordinary that you dismiss a school teacher because she is married, and yet at present there is a lady who holds the position of second in command in the educational system of the country. Apart from all party considerations, Members on all sides of the House will agree that no one could occupy that prominent position with more dignity and more ability. As far back as 1882, a Bill was passed conferring the right of disposal of property on married women. Up to that time a married woman had no power of disposal of property after her marriage. All those rights passed to her husband. In that year the law was altered, and women, whether married or unmarried, had the right of disposing of their property by will or in any other way. This Bill simply seeks to extend the same freedom of the disposal of their power to work to women who are not possessed of any personal or real property except what they earn.

This is a reasonable Bill, in accordance with the times we are living in. I am anxious to hear what the criticism of the proposal will be. In my opinion there is nothing revolutionary, there is nothing which should disturb the mind of anyone. The Bill does not call upon a public authority or anyone else to employ a woman because she is married, or to dismiss her or to be prevented from dismissing her if she is inefficient. The only way you can prove whether anyone who holds a post is or is not inefficient is by testing her ability to carry out the particular duty. Therefore, I would ask hon. Members before voting against the Bill very carefully to consider whether the time has not come to remove this disqualification from married women. I ask for no privilege for married women. I only ask that they shall have the same right that other citizens have, namely, the freedom to decide whether they shall or shall not work.

Mr. PETHICK-LAWRENCE: What we are really out for in this Measure is to secure what we may rightly call the economic charter of the professional woman, or, if you like, of the professional married woman. Only a few days ago, the Prime Minister announced the intention of the Government to end the political

inferiority of women. We are engaged to-day in trying to secure the end of the economic inferiority of married women. This, as the hon. Member for Exeter (Sir R. Newman), who has so ably moved this Bill, has pointed out, was begun in the Married Women Property Acts of some half a century ago. Before those were carried, the woman of means on marriage lost all control of her property. The woman going out and working at the end of the day was not entitled to the control of the money that she had so hardly earned. Her husband was entitled to demand it from the owner of the factory or workshop if his wife did not hand it over to him with proper wifely obedience. What we are seeking to do, is to place the professional woman in a position of economic independence, and, in effect, I think, even more than that—to give her a position in the State and to secure her life. I do not know whether Members of the House will remember the remarks that Shakespeare puts into the mouth of Shylock in the *Merchant of Venice*. He explains that, when his money is to be taken from him, they might just as well take his life. He says :

“ You take my life,  
When you do take the means whereby I live.”

And if you say to a woman on marriage that she must automatically be deprived of her profession, you are practically taking the means from her by which she lives. It may be thought, with the growing freedom of women in this country and the growing nature of their independence, that matters with regard to employment of married women could be left automatically to right themselves. But that is not the case, because with the growth of this independence there is growing up a deliberate attempt to prevent the married woman from retaining her job. That is actually increasing in many ways at the present time. Therefore, it is necessary for this House, on behalf of the women of the country, to take a step, such as is contemplated in this Bill, to secure that these repressive tendencies are brought to an end.

The broad principles on which this Bill rests do not need very much defence, but I may just mention two of the ideas which seem to underlie the general opposition to the Measure. The first idea is the one to which the hon. Member for Exeter has already referred, namely, that the married woman's place is in the home. No doubt in general this is so. No doubt in general the normal expectancy of the married woman will be that she will be in the home looking after it and looking after the children, but because that is normally and usually implied it does not at all follow that it is the right of the State or of the municipality to make that compulsory. We know

quite well that, in the case of a wealthy woman, she by no means spends the whole of the hours of the day in the nursery, still less in the kitchen. She reserves to herself the perfect right to spend a great deal of time away from the home in various social duties or amusements. It is only when you come to the professional woman that this attempt is made. It must be remembered that there are many married women who have special reasons for taking a different view. A married woman may have no children. She may have an invalid husband. She may have a husband with a very limited earning capacity—he may be quite a good fellow, but incapable of earning anything like enough for himself and his wife and children. She may be separated from her husband or living apart from him ; she may have an unworthy husband, or she may, for many reasons with which I do not propose to weary the House, have a special need to add to the family income. It is monstrous in these cases that it should not be left to the woman herself, in the interest of her husband and of her family, to make the decision as to whether she shall continue her work or whether she shall not.

In the second place, it is said that the woman does not need the pay. If that be true of the married woman, it is also true of a great many men. But, surely, it is an outrageous doctrine—it is a doctrine which certainly we on this side of the House do not and shall not support—that no one is to work who can possibly do without the emoluments that the work brings in. Brought down to its lowest, and taking the sex bias out of it altogether, it is a doctrine that no one in this House could possibly support. It is urged that the woman who goes on with her employment takes away the work and pay which someone else ought to have. I believe that that is an entirely economic fallacy. If you carried it to a logical conclusion, everyone who is earning pay for any purpose whatever is taking away the possible employment of somebody else. You might be left with the position that an individual might wish to see first one, then another, and a third go until everybody had left the country except himself in order that he might be quite sure to get the job that was left. The fact is, of course, that everybody who does work for pay increases the purchasing power of the community. Because they increase the purchasing power of the community they are able to employ other people who otherwise would not be employed.

We have supporting this Measure, I believe unanimously, the medical profession so far as women are concerned. We have also supporting it, I believe also unanimously, or very nearly so, the women teachers of the country.

*When we come to the women civil servants, I am going to be*

quite frank and admit that there is some feeling that this Bill may injure their present position. At the present time if on marriage they are forced to retire they are able to commute their right to pension for an immediate gratuity, and there is some feeling that they would lose that right if this Bill passes into law. I do not see why that should be so. It seems to me only reasonable that in view of the fact that the great majority of women on marriage will naturally retire from their posts in the Civil Service, there should be an option given to the woman on marriage: and if on marriage she chooses, as the majority will, to retire, then she should be entitled to the gratuity as at the present time; but if she elects to remain at her post, then she should forfeit by that election any right to gratuity. I think that would be quite a reasonable proposal, and I do not see why it should not be put into effect. I think that meets a very large part of the objection of the women civil servants.

I know that beyond that, there is some fear in the Civil Service generally, and perhaps we shall hear that view put forward to-day, on the part of those who are at present employed that in some way or other this Measure is going to injure their position. Every Bill which seeks to lay down a fundamental principle of justice and to alter the existing state of affairs involves some possibility of change and, therefore, perhaps some possibility of injury to what I may call vested interests, that is, those people who have got a definite claim, a definite standing and who, naturally, are anxious to see that nothing that is done shall injure their own personal prospects. I think that is perfectly natural and, speaking for myself, and I think for the hon. Member for Exeter, the promoter of the Bill, we recognise that so long as the principle of the Measure remains intact, so long as the present injustice is completely removed and the choice as to whether she shall continue to work or not after marriage, rests entirely with the woman herself, then there might be some slight alteration which might protect the immediate interests of those who are at present in the Civil Service. At a later stage that could be duly considered, and I am quite sure, speaking for my hon. Friend and myself, we shall do our best to meet any legitimate claim that could be put forward in that direction. But the main principle and the essential point of the Bill must remain because it is fundamental, and it is, in our opinion, essential to secure the charter of the economic freedom of the women of this country.

Mr. REMER: When any legislation is introduced in this House, those who propose it and those who second it should cover four grounds—first, that there is an abuse with which it is necessary to deal; secondly, that the reform proposed is necessary and wise; thirdly, that the remedy proposed will be successful in its object;

and, fourthly, that there is a demand for the Bill they are moving. I submit that on all these grounds the mover and seconder of this Bill have utterly failed to establish a case for the Measure; they have failed to bring forward any reasons of any kind in support of its passing into law. They have failed particularly on the fourth ground, because the nature of the demand for this Bill is shown very clearly in a circular which has been issued to Members of Parliament from the Civil Service Clerical Association, which I propose to read. It is as follows:—

“*Re the Married Women's (Employment) Bill, due for Second Reading on April 29th, 1927.*”

“*I have been instructed to lay before you the views of the women members of our association with regard to the above, and to ask you to oppose it in so far as it relates to the Civil Service at this stage; we do not want to interfere on the municipal side.*”

“*On whose behalf I write—Some 6,000 women in the higher clerical, lower clerical, departmental clerical, writing assistant and typing classes.*”

“*Women's meetings have been held in many departments, open to members and non-members alike. A special meeting of women representatives from all over the country nationally elected, has also been held to consider the Bill. The overwhelming vote of our women who have met to consider the Bill has been—(a) in favour of opposition to the Bill in its Civil Service aspect, and (b) in favour of special treatment for hardship cases amongst married women.*”

“*Overleaf are set out the reasons for (a) above and details regarding (b) above.*”

“*In urging you to oppose the general removal of the Civil Service 'marriage bar' at present I have to ask at the same time for your support, if this is necessary, in order to obtain favourable treatment for the hardship cases.*”

“(Signed) Christine Maguire,

“(Assistant Secretary).”

The circular also says that the main reasons for opposition to the removal of the Civil Service marriage bar are as follows:

“*Irrespective of their views on the general principle of the right of married women to paid employment in the Civil Service as elsewhere, our women members have voted against the removal of the marriage bar at this stage for the following reasons of expediency.*”  
(Interruption.)

I have no doubt that the Noble Lady the Member for Plymouth does not like this because it is absolutely against this Bill, but I am quite entitled to read it. It goes on:

" (1) Many hundreds of women who have been officially classified as fit for promotion are unable to obtain promotion. This is partly due to appointments being filled from outside the Service by open competition, regardless of the unfair treatment of existing staff involved. These women naturally fear any further depletion of their scanty promotion prospects by the retention of married women in the grades above.

" (2) Marriage gratuity.—Gratuities based on length of service are at present paid to established women civil servants who are compulsorily retired on marriage. The regulations do not permit of the payment of such gratuities to those who voluntarily resign. Therefore the general removal of the 'marriage bar' would involve financial loss to those women who resign on marriage after such removal. It is anticipated that these would constitute the large majority of those concerned.

" (3) Unemployment.—That a period of severe unemployment among adult women clerks, and demobilisation amongst temporary civil servants, is not the time to encourage those who can afford to leave the Service to remain therein."

That is a very sensible letter. It is a complete reply to the case for the Bill, and it also considers those hard cases which have been mentioned by the hon. Member for Leicester. It is the proper way of dealing with this matter.

This association has approached the subject of the relations between employers and employed in Government offices by way of friendly negotiations, and these hard cases, we all agree there are hard cases, can be dealt with much better by way of negotiation than by passing legislation of this character.

Permanent officials of Government Departments would be placed in a most intolerable position by this Bill. We must realise the facts. There are positions in the Civil Service in which it would be utterly impossible for a married woman to undertake the work. We can picture many such cases. We must realise that if a woman gets married there is the possibility of childbirth later to be taken into consideration, and that must involve long absence from work and would probably make it impossible for her to continue her employment. I appeal for the rejection of the Bill also on the ground of economy. There are many people in this House who pay lip-service to economy. There is an opportunity in this Debate to deal with the question in a practical way by supporting the rejection of the Bill. If the Bill were to pass, what would a Government Department or municipal authority have to do? It would either have to pay the married woman during the period that she was unable to carry out her work, and that payment could be provided

only by increased taxation or rates, or, if at the time of childbirth the married woman had to be dismissed, there would be much odium on the State or on the municipal authority for carrying out a very distasteful duty.

The hon. Member for West Leicester referred to the training which would be thrown away if a married woman were dismissed upon marriage. There is a very simple answer to that point: Could a married woman in such a case carry out the work that she previously carried out as a single woman? If she could carry out that work, then by friendly negotiations and talks around a table it would be possible to deal with such a hardship case. If she could not carry out the work, surely even the zeal of the hon. Member for West Leicester would not make him go so far as to say that the municipal authority in such an event must employ the woman?

While we are prepared to approach any question of hard cases, and those which have been referred to in the circular I have read, with a true feeling of justice for those concerned, yet I still contend that legislation of this character will go far to increase the cost of our municipal government and Civil Service. For these reasons I hope the House will reject the Bill.

Captain BOURNE: I have heard this Bill described as the charter of the professional woman. I think we may turn our attention for a short time to the Bill itself, and see what class of women and employers it will affect. The Bill cannot be said to be a charter for anyone. As far as I can understand it, the Bill applies to Government employees and the employees of local authorities, and what the Bill is pleased to term "other public authorities," which, I take it, will include the Port of London Authority, the Thames Conservators, certain harbour boards, and one or two other bodies of that sort. A public authority is to be a body set up by Parliament or partly supported by moneys coming from Parliament.

It is rather remarkable that practically all local authorities and bodies whose servants are in this privileged position, should object to the employment of married women. Presumably they have very good reasons for doing so. One of the reasons why they object is because experience has shown that, in normal cases, a woman is not as efficient a few years after marriage as she was before. It is the natural and normal effect of marriage that women shall have children, and I do not think anybody would contend that a woman during the period of pregnancy, or immediately afterwards—a period which covers many months—is as efficient as she is under normal conditions. Nor is the woman who is looking after a number of small children as efficient as the woman who



is not. I submit that the local authorities have found this out from experience. They are the trustees of the public funds; it is their business to carry on the administration of the country with the greatest efficiency and at the lowest expenditure, and I cannot see why we should compel them to take a course to which they are opposed, and which, apparently, they have found from experience leads either to greater expense or less efficiency.

Had this Measure been limited to the teaching profession, there would be much to be said for it, because I think it is agreed that a married woman, especially one who has had children herself, is often a better teacher for the young than an unmarried woman can be. If that be the case I think we might say that while there is a certain loss of efficiency and perhaps a slight additional expense, yet in that special instance there are advantages which compensate for those features. But this Bill goes far beyond that. *It is proposed that it should be applied to people in all grades of employment in the Civil Service, in local authorities, and in other public bodies with which this House has never interfered to any great extent. I suggest this Bill is going far beyond what is necessary and that it should be rejected on that ground.*

Sir HENRY SLESSER: The hon. Member for Macclesfield (Mr. Remer) has said that this Bill is very capable of opposition and the hon. Member himself is a very capable Member, but the two possibilities have not coincided on this particular occasion. I listened with great attention to what he said and I was unable to discover that he gave us any real reason why this Bill should not proceed into law. All the reasons which he gave seemed to depend on a misreading of the provisions of the Bill. He seemed to assume that there was something in the Bill which prevented the State or a local authority from dismissing a married woman, even though by reason of her marriage or for some other reason she had become inefficient.

Mr. REMER: I think the Bill is quite clear. Even though a municipal authority may consider that a woman is not as efficient when she is married as she was before, they cannot dismiss her on that ground.

Sir H. SLESSER: I am very glad of the hon. Member's interruption, because I wish to draw attention to what the Bill provides. What the Bill says is that a woman shall not be refused employment or dismissed from employment on the ground, only, that she is married or about to be married. If there be any circumstances, beyond the mere fact of marriage, which makes her inefficient, that is another matter. The question of children subsequently

being born has been mentioned. This Bill does not cover that point at all in any particular case. There may be some employments where it is right and proper that a woman should be granted leave of absence while children are being born and then return to her employment. There are other cases where the mere fact that there were children would disqualify her, but these are matters dependent on the facts relating to the particular occupation and the particular woman. What this Bill says is that the mere fact that a woman is married or is about to be married shall not be a ground alone for dismissing her from employment.

This matter is not a new one. The hon. Member referred to this Bill as a curious Bill, but the subject matter of it is one which has been dealt with by Statute before now and has actually been before the Courts. There was the case, for example, of the Poole Corporation, where the whole question of the dismissal of married women teachers was considered by the Court of Appeal and by Mr. Justice Romer. A distinction was made between resolutions carried by the council that women should be dismissed simply because they were married without giving any reasons at all, and the case where some point of efficiency or inefficiency might arise. Mr. Justice Romer—I agree that he was reversed in the Court of Appeal on another point—said that this council had obviously not considered the efficiency or inefficiency of the women but had simply declared that because they were married, and for that reason alone, they should not be employed any more by that authority, and he came to the conclusion that they were, within the meaning of this Bill, dismissed on the ground only of marriage. So that a distinction can easily be drawn. Where a corporation carries a resolution that no married woman may be employed, that is clearly a case where the question of efficiency between one woman and another does not arise. What they say is, "we do not care whether you are efficient or inefficient, but because you have preferred a certain kind of domestic life, we say you shall not be employed." That attitude must not be confused with the question of a particular woman for some particular reason being incapable of doing particular work. It is because that confusion has been made by the hon. Member for Macclesfield, and to a lesser extent by the hon. and gallant Member who seconded the Amendment, that I want to make this point clear.

What is the present law of the land on this matter? In 1919 there was carried in this House the Sex Disqualification Removal Act, the first Section of which provides that a person shall not be disqualified by marriage from exercising any public function. That was laid down as the law in 1919. I agree that exceptions were

made with regard to the Civil Service which may have been wise or unwise, but the intention of the legislature, generally speaking, was that the mere fact that a person was married should not in itself disqualify such a person from holding a post. Some hon. Members who are not conversant with the law may say, "Then what do you want this Bill for? Is not that the present law?" The need is to supplement that provision. That provision only dealt with status and not with the question of a particular contract of employment. For example, under this Bill you cannot refuse a woman the right to be a solicitor, because that is a question of status, but the loop-hole in the present law that has been found to exist is that, although the Legislature has provided that a woman shall not be disqualified from holding an office by reason that she is married, nevertheless an authority can deal with a particular contract of employment of a particular woman, and say, "We will not employ you if you are married," or "in the future, we will not employ any married women," so that to a large extent the present conduct of these local authorities and of the State defeats the intention of Parliament as laid down in the Act of 1919. I believe it was the intention of the framers of the Act of 1919 that the fact of marriage by itself should not make any person disqualified from service in a post either under the State or under a local authority, and we merely wish to supplement, or, as I think the hon. and learned Member for Argyll (Mr. Macquisten) would say, implement the legislation as it existed in 1919 by the Bill which is now before the House.

With regard to the general argument that the liberties of the local authorities are restricted by this Measure, I would point out that the State has a perfect right, if it wishes, and thinks it expedient, to restrict the rights of local authorities or of the Civil Service. How it lies in the mouth of hon. Members opposite, who on Monday are going to ask us to consider a Measure which provides in terms that no local authority may insist that a person shall be or not be a member of a trade union, to take the point that it is not competent for Parliament to interfere with the liberty of local authorities, I cannot understand.

*An hon. Member let out some protest which had been made by certain persons in the Civil Service against this Bill. I have no doubt that, if there were a regulation in the Civil Service preventing the employment of red-haired people, black-haired people would oppose the removal of that regulation with great enthusiasm. It is only natural and human that people who benefit by what I might call restrictions which now exist, whatever they may be, should be a little bit disturbed at the idea that those restrictions are to be removed and that, in consequence, competition may increase.*

This Bill is a progress in the direction of individual liberty, which most of us on this side and some hon. Members opposite, desire to secure, and for that reason I support the Bill with great enthusiasm.

Viscountess ASTOR: As for the hon. Member who talked about married women not being efficient, when I listen to the opponents of the Bill, I feel that I know women who could have twins every year and still be more efficient than some Members of Parliament. This is really not a question of married women being efficient or inefficient; it is simply a question of their being married. I myself am sorry that we have to have this Bill opposed from the Treasury Bench, particularly by so notorious a defender of the fair sex as the right hon. Gentleman the Financial Secretary to the Treasury.

*It is quite true that the Civil Service Clerical Association are against the Bill, but their reason is not a question of principle so much as one of expediency. They fear two things, namely, interference with promotion and the loss of what is known as the marriage gratuity. The loss of the marriage gratuity, I think, could be got round. When a woman has to retire on marriage, she is given what is called a voluntary gratuity or pension, which is just deferred pay. I do not see why, if this Bill passes, the Treasury should not still give her that gratuity, because if it is deferred pay she has a perfect right to it. They might think that they could not give quite so much, but they might give a just and reasonable proportion. As to the point about promotion, I think it is a very narrow one and the fear is exaggerated. I believe most women will retire when married, and so it will not affect promotion. It is only natural that they should want to guard what rights they have got. It is a very curious type of mind which says that a woman's place is in the home. That is not said until women get into higher positions. In the case of a charwoman or a cook, no one says that a woman's place is in the home. I agree that a woman's place is in the home, and it is dreadful to think how many thousands of women have to go out of their homes to supplement their income, and to maintain their homes; but, alas, that is the position.*

Much nonsense is talked by men about woman's place in the home. I know the type of man who generally says that. It is not the type of man who makes home most pleasant for a woman. It is the type of men who say, "My country, right or wrong," the men who never do the greatest service to the country; they are of no use in their country. It is the same with people who say, "My party, right or wrong"—they are of no use to their party. Right is right and wrong is wrong, no matter what country or party.

A woman naturally wants, above everything, a home. That is the natural instinct of every woman, but there are some women, as there are some men, who can make a home, and there are some women, as there are some men, who cannot make a home. No matter if they are women, they have not the natural homing instinct. Women vary, and they have different talents, just as men have. It is no use for a man to tell a woman where she should be, any more than it is for a woman to tell a man where he should be. This sort of thing is getting exposed, because most reasonable men see it, and the unreasonable men are getting fewer day by day, possibly owing to education or experience. It is not because we do not believe in home life that we support this Bill, but because we believe intensely in home life. We do not want the Government to tell us what we should do. It is a question between the woman and her husband, and has nothing to do with a third person outside. Then they say that a woman who is married should be kept by her husband, and that if she is going out to work, she is taking a man's place. If that applies to a married woman who is being kept by her husband, it should apply to a married man who is being kept by his wife. There are a great many, no doubt, in this House. If you said to them, "You are being supported by your wife; you are taking another man's job," they would have to get out, which would be very unfair, and would deprive us of a great deal of talent. As to the talk about married women not being efficient, I would remind the House that one of the most efficient members of this Government is a married woman—the Parliamentary Secretary to the Board of Education. It is not really a question for the Government as to whether women are married or single. Their primary concern is efficiency.

I hope very much that this Bill will pass. I am not prepared to say that if it does not pass, it will be the Government's fault. I think there is a subconscious feeling about wanting to keep married women out. There are certain men who remind me of the position of Joshua, who was beguiled by the Gibeonites into giving them a promise. Having given them that promise, he was sorry for it, and the princes said:

"This we will do to them; we will even let them live, lest wrath be upon us, because of the oath which we swear unto them.

"Let them live; but let them be hewers of wood and drawers of water unto all the congregation."

There are a great many people in this country who think that way about women—"let them be hewers of wood and drawers of water." But, for the sake of the State, we feel that it should have the very best, and some women have great talents to give to

the State. If this Bill does not pass, you are merely crippling the State as well as the women. I have never feared that women would give up home life for public life, and I can truthfully say that the more I see of public life the more I care about home life. But that is a question for me to decide and not the House of Commons. But we have to fight a long-standing enemy, and that enemy is that a man should judge where a woman should be. We say that women ought to judge whether they ought to work, and we can perfectly safely say they will never neglect their homes even for the higher duties of the State.

Mr. MACQUISTEN: What I feel about this Bill is that it is more or less conceived in favour of a certain class of the community, namely, those women who are well enough off to get their home work done by somebody else, the hewers of wood and drawers of water. After all, I think most women marry as a whole-time job, and it is the very hardest occupation there is. Those who are able to afford a staff of servants to do their work for them and live in affluence and luxury, are entitled to take part in public life. But for the vast mass of women, it is not so. If a man goes into service with a public authority, and then opens a shop or enters some other business, questions would be immediately asked by the local trade unions. For a local authority or an education authority to pass a general rule that under no circumstances will they ever have a married woman in their employ is not a sensible thing to do. I do not think there ought to be any general resolution of that kind.

Viscountess ASTOR: That is all we ask.

Mr. MACQUISTEN: No, it is not. The Noble Lady herself has pretty well admitted that in 99 cases out of 100 a woman who is happily married becomes bound up with the home and will want to be there. She will not want to remain in an office. If she did, she would be very busy telling the affairs of the office to her husband, and anything in the nature of confidentiality would be gone.

I think the grievance is a small and limited one, like many of the other grievances put forward by the leaders of the women's movement. We must all recollect that women are very much more astute than men; they get the better of us every time; they want their own way and they get it in the long run. The proposal in this Bill is probably only a beginning; it will not be limited to women in public employment, it will spread all over. I do not want to see the creation of a type of men who will sit at home and allow their wives to go out to work for them. A man of that class is a

most objectionable type, whether he is a Member of this House or not. I do not want to see men of that type encouraged. A man who marries ought to be in a position to set up a home and support his wife so that she has no need to go out to work. What I fear will happen is that some very clever and capable women who are able to earn a good salary will be looked up by some soft men who will marry them and live on them. Once a woman is married, in nine cases out of ten her heart ceases to be in her work and is in her home; the marriage is a failure if that be not so. If she is thoroughly absorbed in the greatest occupation that any woman can take up, her heart will be in her home; just as a man's heart should be in his business, because the man knows that that furnishes the means of keeping the home together.

I have known people in employment whose whole nature and outlook have been changed by matrimony. Sometimes they become more efficient. A man who marries becomes as a rule more efficient, because he has a steadier outlook and takes longer views; and the same thing might be said of a woman, although in the case of a woman, if she be a natural woman, her thoughts will be concentrated in the home. Then there is the question of who are to look after the offspring. Are they to be handed over to some hireling, as is too often done, I admit, in the higher ranks of life. Too few women look after their own children.

Mr. MONTAGUE: According to the last census returns, more than 1,000,000 married women are engaged in ordinary hard industry, apart from professions.

Mr. MACQUISTEN: There is no doubt that that is so, but it is regrettable. It may be so because their husbands are not able to get a job, or are unable, for other reasons, to keep the home together. But I would go back to my point that this is a question for individual local authorities, and that we ought not to subject them to a mandatory Clause like this. It would make it very difficult for them to deal with their staffs. The question may arise of whether a woman has fallen off in her efficiency. Only those in close contact with her in her work can tell. The woman will claim that she is as efficient as ever and is only being dispensed with because she is married, and the effect of that might be to enable women to establish a lien on an appointment. I think the present position is in the main sound.

Mr. MORRIS: I approve of this Measure as far as it goes, but I confess it is not going to do very much to achieve the objects of the promoters. While this Measure provides that marriage shall not be a reason why public authority should refuse to employ

women, it will be very easy for a local authority which does not desire to appoint a married woman to find a reason for not doing so. On the other hand, there can be no reason why you should take marriage as a reason for dismissing a woman. The Noble Lady the Member for Sutton (Viscountess Astor), if, instead of being a Member of this House, she had been a professional lady, a lady doctor or a headmistress employed by a local authority under the chairmanship of the hon. Member for Macclesfield (Mr. Remer), she would not be allowed to retain her position.

This Measure only carries a step further the Sex Disqualification Removal Act. Of course, that Act does not go very far. It is not an enabling Act, but simply removes a disqualification, but before a person can be disqualified she must be qualified. The same thing will apply as far as this Bill is concerned when it becomes law. In a commercial concern, if a woman is efficient in her business she is not worried with questions as to whether she is married or is about to be married, and why should the local authority proceed on any other lines. Why should the State do this? There can be no justification for the State doing it at this time of day. There might have been some justification in old times, but now women are more educated, and they are being educated on the same basis as men, and women get the same educational facilities and opportunities.

Lieut.-Colonel Sir GODFREY DALRYMPLE-WHITE: This is a matter upon which there is a good deal to be said on both sides. It has been said that probably married women teachers are more valuable than single women teachers, but I do not think the question of women having children and being taken away from their employment should be raised at all in this connection. Here is a woman performing the natural function of a married woman, and at the present time you are dismissing her because she is performing that natural function. Of course, this raises that extremely contentious topic of birth control. Some hon. Members may approve of that and some may not, but I would like to point out that those who are supporting this Bill are supporting the principle of birth control. For that reason, and because it would be much better to leave it to the discretion of the local authorities to deal with hard cases as they arise, to give them discretion to employ or not to employ the good worker as they see fit, I myself shall oppose this.

Mr. SNELL: I would like to say a word of criticism in relation to the speech of the hon. Member for Argyllshire (Mr. Macquisten), who at least did attempt to meet the arguments on this Bill in a serious manner and to offer criticisms which were really worthy of

attention. He told us that his opinion was that this Bill was really for those who were better off and could afford to hire someone else to do their job. He said that marriage was a whole-time job and that a woman should give her whole time to it. If that argument is to be sustained, it must be accompanied by the fact that the man who is charged with the duty of supporting that home ought to receive as remuneration for his services a sufficient rate of wages to enable him to maintain that home. But if such a proposition were put before this House, if it were proposed that there should be a minimum given to each home as a reward for the man's earning capacity, it would be opposed whole-heartedly by practically every Member on the other side of the House.

It seems to me that those who have criticised this Bill have not realised what is behind it. It is, after all, a question of the liberty of woman, the right and privilege of a woman to run her own life on an equality with that of man in this Kingdom.

To-day we who are supporting this Bill are being chided because we are attempting to interfere with some theoretical discretion of the local authority, whereas next week they are going to bring the whole strength of their battalions to bear on prohibiting local authorities from seeing that their employees belong to any trade union. The feminist movement has been entirely misapprehended. The whole meaning of it has been, not a demand for votes alone—women were never so stupid as to assume that if they got the vote they would get all that they wanted—the demand throughout has been, not politics, but equality in the State with man, and that is the principle which this Bill seeks to affirm and to put into practice. If we look at the problem from the economic point of view and deal with the assertion that two incomes ought not to go into one household, then, there again, there is a discrimination against the married woman. If it be true that two incomes should not go into one household, then the son or the daughter ought not to be permitted to earn anything. If you admit that the son or the daughter may take additional income into the household but not the wife, then you make a discrimination against the married woman, and it is against that that this Bill protests. If the argument that you must not take two incomes into one household is admitted, then many people like directors of public companies and luxurious Cabinet Ministers would have to have their scale of remuneration seriously revised.

The position in which we are to-day appears to be that we are, at least according to our latest political programme, going to attempt to remove the last political discrimination against women, and while we are proposing to do that, we ought at the same time

to remove this economic discrimination against women. If we are going to do it, it is better to do it all round, and to give to women in industry and in the professions the same chance as to men, just as in politics we are going to give them the same chance as the men. It must always be remembered that, if you dismiss from production a skilled portion of the community, you are reducing the productive efficiency of the community as a whole. The problem before us is that, if this embargo be not removed, the best women will not go into the professions, they will not train themselves, and in that case the community will lose their services; or, if they do go into the professions, then they will not become mothers, and the community will lose the children that they ought to train for the State. In the end we are back upon the principle that we have to say that, in a State like ours, we are all of us subject to the same laws, we all owe the same allegiances to the authorities of the nation, and all of us, whether we are single or married, whether we are men or women, ought to be on a state of equality, not only in regard to politics, but in regard to industry and in regard to the professions and the whole of the classes of life.

SIR GERALD STRICKLAND: *I venture to intervene in this Debate as a pensioned Civil Servant after 30 years' work, because I feel that the experience to be gained in that Service, and the sentiments of those who are working in that Service, may not receive the hearing which they deserve, by reason of the obvious unpopularity to be apprehended from any unvarnished statement of the case against this Bill.*

*We have heard from the Noble Lady the Member for the Sutton Division of Plymouth (Viscountess Astor), who so eloquently supported this Bill, that in her opinion, if the Bill were passed, those married women who realised that they were about to become mothers would as a rule voluntarily retire from the Civil Service; and, therefore, according to that showing, the Bill is only to the advantage of those married women who will not have the good sense and right feeling to retire when they are performing the duty for which Nature and matrimony has designed them.*

*It is obvious that, if the contentions in favour of this Bill hold good, it would be a law inviting administrators to differentiate, not in words but in practice, against married women who have children as compared with married women who have not children. Married women who have children might incur disabilities which would justify local authorities in dispensing with their services, while married women who had not children would be given additional protection, and would not incur those disabilities.*

Mr. THURTLÉ: I do not quite understand the hon. Gentleman's reference to the fact that it is not the function of the House to correct anomalies. I thought it was the special function of the House to correct anomalies as between one class of citizen and another. I believe we are going this Session or next to seek to correct one glaring anomaly which still exists as between men citizens and women, in giving them equality in regard to the franchise. The hon. Gentleman also made reference to the Australian man's view in regard to this matter of married women working. It is more important to us to consider, not the views of Australian men but the views of British women, and I am certain the majority of British women want to see this measure of justice accorded to them. I have listened very carefully to the Debate, and, apart from a good deal of old-fashioned and somewhat obscurantist talk about the function of women being at home, I have not heard any real argument against this proposal except one, and that was an argument advanced by the Seconder of the rejection of the Bill, that the claims of maternity in regard to women who work constitute a very serious objection to their efficiency. I am prepared to admit that there is something in that argument. There is the anti-natal period and the post-natal period, during which it may be said a married woman is incapacitated as compared with other women, and to that extent the married woman is inefficient, but even that point is not nearly so important as might be imagined. If you examine the vital statistics of the country, the average size of the families of people like teachers and civil servants is not more than two children. If you consider that in relation to the normal business life of 20 to 30 years you will see that the having of two children in the course of that period is not anything like a formidable bar to efficiency.

I should like hon. Members to consider the alternative. If you are going to make it difficult for married women to continue in their profession, or in the Civil Service, or in the service of municipalities, you are, in fact, whether you like it or not, going to set a kind of premium on free or illicit unions. There is always this economic obstacle to marriage. It is the economic obstacle that forces the married woman in the main to continue working. That economic obstacle, so far as we can see, is going to remain. If you are not going to make it easy for married women to continue their work you are obviously of necessity setting a kind of premium on free or illicit unions. If I wanted to cite evidence of the way in which that kind of thing happens, I could refer to the experience of the Ministry of Pensions in connection with war widows' pensions, and I could refer to the experience in connection with the administration of unemployment benefit to show that where there is an

economic factor involved there is a tendency for people to overcome the conventions and moral scruples and to go in for these free or illicit unions. There is this other point which people who believe in the well-being of the State ought to bear in mind. I take it it is considered to be desirable that there should be as many children as possible, certainly children of parents who are physically and mentally well developed. The class of people we are considering now are those who are able to produce some of the best types of children the country could want to have. If you are going to make it difficult for these people to marry you are going to reduce the chances of them producing children for the benefit of the community.

There is this other fact. It was urged that a married woman because she was married, because she had the interests of her home in her mind, would not be so efficient in the performance of her duties. After all, normal men and women have certain feelings, and they need to lead a normal sexual life just as they need to lead a normal life in other respects. If that normal kind of sexual life is denied to women, even considering just the point of efficiency, as I understand it there is medical evidence to show that there is a tendency for neurotic conditions to develop, and in that way I can conceive that there would be just as great a loss of efficiency through enforced celibacy on the part of women in business as there would be through their having a certain amount of attention devoted to thoughts about their home. Speaker after speaker has emphasised the importance of marriage to women, as though marriage was the crowning incident in a woman's life. While that might have been the case a generation ago or longer, it is not nearly so much the case at present. In the case of a normal intelligent man with all sorts of interests in life, marriage is in effect only an incident—an important kind of incident, but nevertheless only an incident—and more and more as women are coming to take their full share in the social business and political life of the country marriage is becoming to them an important incident, but only an incident, and therefore I want to contest the view that marriage is, in effect, the be-all and the end-all of a woman's existence.

There is this further point. You cannot possibly regard women as being all of one class. You say that women's function is the function of motherhood and that their place is in the home. I submit that there are varieties and types of women, just as there are varieties and types of men. Some women are essentially fitted by their temperament to be good housekeepers and to look after all the details of domestic economy. They are women who actually delight in that kind of thing. But there are women of another kind who have not any of these aptitudes, but who have extraordinary gifts which fit them either for businesses or professions

of one kind or another. You have to recognise the fact that these differences do exist and, recognising them, you ought to make it easy for the women who possess these special gifts and aptitudes to follow them out and develop them in the same way as the women with domestic aptitudes are able to follow the work of conducting a home. My final point is this. It has been asked why we should single out the Civil Service and the municipalities for this particular enactment. It has always been my view, and I hope it is the view of the Members of this House, that, in regard to matters of employment and the conditions of employment, we ought to look to the Government and to the municipalities as being model employers—people who will set a pattern in front of all other employers. I think, therefore—we are not thinking of interfering with the right of the ordinary private employer—in favour of the Government and the municipalities according to this simple measure of justice to married women.

Sir BASIL PETO: I should like, first of all, to say a word or two with regard to the final argument of the hon. Member for Shoreditch (Mr. Thurtle). I think he was up against rather a difficult argument against this Bill when the only thing he could say for putting a special restriction upon public authorities in the matter of whom they should or should not employ, was that it was the duty of public authorities to be model employers. I want to ask the House to consider to where that would lead. Any ordinary employer of labour is perfectly at liberty, if he is advertising for labour, or is seeking it either for factory or domestic service or anything of the kind, to say that he wishes or does not wish to employ either married or single people. That applies in the case of men, I think, rather more than in the case of women. For some positions a married man is preferable to a single man. In some positions it would be impossible to employ a married man, and you must have a single man. The industry of the country must be carried on by the employment of those who are most fitted to fill each particular niche in the rural and the industrial system. The hon. Member for Shoreditch says that the local authorities should be model employers. I say that it is the local authority which is spending public money that should employ those people who can best serve the public in the particular sphere in which they may happen to be employed. That is my idea of model employers so far as the particular question raised in this Bill is concerned.

The speech of the hon. Member for Shoreditch was a very interesting one. He brought forward, I think, pretty nearly all the arguments that could possibly be used in favour of this Bill,

but if he would excuse my saying so, his arguments were mostly very abstruse—they missed the plain, obvious, underlying facts which induced me to oppose this Bill. The first of them is that this Bill ignores the plain biological and physiological facts. A man when he is married—I am looking at it from the point of view of the employer of labour—is frequently, I might almost say generally, rather preferable to an unmarried man for most purposes, because marriage has a steadying and a sobering influence upon him. It gives him responsibility. He has to work to support his wife and a possible family, and that is naturally a great inducement to steady and conscientious working in whatever industry he may be engaged in. But there is no biological objection to his employment at all. You cannot argue, however much you may be in favour of equality of sexes, that in this question of whether marriage is or is not a disqualification of employment, the two sexes are equal. God did not make them so. We cannot do it on a Friday afternoon in this House.

I do not wish to follow the hon. Member for Shoreditch into all these questions of intricate detail, but I would say that the contentions which have been put forward on behalf of this Bill about compelling women to perpetual celibacy and all that kind of thing are extremely misleading, and I do not think that they can really be meant to be taken seriously by the Members of this House. There is nothing in the present condition of affairs to compel women to celibacy at all or to anything of the kind.

Major HILLS: *The hon. Member for Barnstaple (Sir B. Peto) says that he is not at all alarmed at the celibacy of the Civil Service and similar services. I confess I view that situation with a good deal of apprehension. It is a very remarkable and far-reaching fact that our Civil Service has to be run in so far as it is run by women, by the unmarried and sterile, and we put a premium on a woman staying single and penalise marriage. I think that if my hon. Friend considers that with a mind free from the acceptance of things as they are, he will see that this is a very remarkable state of things. I cannot recall the existence of the same state of affairs in any country in any period of history.*

It is very curious that in the Debates upon Sex Disqualification Removal Acts one finds all the old arguments coming up as lively as ever. The great argument used by the opponents of the Sex Disqualification Removal Act in 1919 was always this: We are the people who have the interests of women at heart, and you who are asking for the removal of sex disqualification are asking for things that will penalise women. Exactly the same argument ran through the speech of the hon. and learned Member for Argyll

(Mr. Macquisten). He told us that the woman who stays at home and keeps the house in order is performing the most important function that a woman can perform. He told us that women are cleverer than men. He told us that woman is a creature of a higher organisation than man, and yet after having said that, almost in the same breath, he decried that noble creature by denying to her the right of choosing whether or not she should be employed after matrimony.

We wish to avoid legislation and regulation which interferes with the freedom of choice of the individual woman. I want two things in our Civil Service and our municipal service. I want the State and the municipality to have the largest choice of well-qualified assistants, the largest choice of qualified persons. I think every speaker to-day, including the opponents of the Bill, have said that for certain occupations the married woman is better than the unmarried woman. From the point of view of the State and the public generally, I want the largest supply of qualified persons, and from the point of view of the individual citizen I plead for liberty. I want the individual woman to be given the choice. I do not want her to refuse the chance of marriage in order to keep her employment, but I do not want her to lose her employment upon marriage. I do not want to put that sort of choice before her. It is a choice which does not come to a man. Some speakers have said that it is a choice which is inherent in a woman's life. I do not see why it should be so. I do not see why we should class all women as if they were all entirely wrapped up in domestic affairs. If they want to stay at home, there is no compulsion upon them to leave home; but do let them have the choice, and from that the State will benefit and the women will benefit.

*Some play has been made with the fact that the women civil servants, or their organisation, oppose this Bill: but I would ask the House to bear in mind that that opposition is only on a particular point. They are afraid that if married women are allowed to stay on in employment, that the chance of promotion will be less. I quite agree that that is so, but that does not meet the whole point. If it is right as an act of justice that married women should be allowed to stay on in their employment, if they choose, I do not think that particular objection ought to stand in the way.*

The main point I wish to make is, that this Bill was implied or was considered to be contained in Section 1 of the Sex Disqualification Removal Act, 1919. I took part in the Debate on that Act. The first words of Section 1 are:—

“ A person shall not be disqualified by sex or marriage from the exercise of any public function ” etc.

I moved the insertion of the words “ or marriage.” The Bill, when presented, contained the words:—

“ A person shall not be disqualified by sex ” etc.

I foresaw this exact question and I moved the insertion of the words “ or marriage,” and argued the case for the insertion of those words chiefly on the very point which we are now discussing, namely, the disqualification of married women in the Civil Service or in the local service. The Government case was in the hands of Sir Ernest Pollock, who was then Solicitor-General, and who is now the Master of the Rolls, Lord Hanworth. After some demur, he accepted the words and he attached to the words the same meaning that I attached to them and that I think the House attached to them; that they would prevent discrimination against women in the future. Things have turned out otherwise. The Courts of Law have found a hole in the Act and have held that local authorities and the Civil Service can debar a woman from employment through the mere fact of her marriage.

I speak within the recollection of those who were in the House at that time, and I think they will agree that the intention of Parliament was that women should not be debarred by marriage from continuing their work in the Civil Service and in the local services. Sir Ernest Pollock expressly said, when he accepted the words, that they threw open public work to the service of married women. Afterwards, the ingenuity of the Courts of Law has found some way round the Act. I am certain that if that point had been present in my mind or in the far more instructed legal mind of Sir Ernest Pollock at that time, it would have been put right. This Bill is only a small Bill to fill the gap that was left in that Act. I wonder why the Government feel it necessary to oppose this Bill. Nobody wants the Government to employ an inefficient. If the inefficiency is caused by the fact that a woman is married, she can be dismissed under this Bill; but if she is efficient why do the Government want to restrict the opportunity of employment for her? They are not obliged to keep on an unprofitable servant. All that this Bill does is to say that they cannot do, as the Hull Corporation did in the case quoted by the hon. and learned Member for South-East Leeds (Sir H. Slessor), lay down a bare and rigid regulation that no woman is to be kept on after marriage. I cannot see what harm the Government will do to the Civil Service or local services by accepting this Bill. I hope they will accept it, because really it is a part of the Act of 1919, and was only omitted from that Act by accident. It is a very small point which will not affect many women, because the bulk of those who marry will want to leave their employment. It is an act of justice which ought



to be granted, and I hope the House will accept the Bill and thus complete the work begun in 1919.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. RONALD McNEILL): There are two main aspects from which this Bill may be approached, and indeed must be approached. There is the aspect in so far as it affects the position and employment of women; in so far as it can be called a woman's Bill, and it is from that point of view that it has been mainly, indeed exclusively, discussed by those who are supporting it this afternoon. But there is a second aspect which I, at all events, cannot leave out of account and which the House should not leave out of account, and that is the question as to how it affects the public services of this country.

Let me ask the House to bear this in mind, that no one will deny this Bill, if it be passed, apart altogether from the merits of the changes it will effect, will effect a far-reaching and important change in the administration, not only of all the departments of the central Government of the State but all the departments of the innumerable local authorities who have to carry on the local government of this country. The first point I want to make is this: that whether hon. Members think that the proposed change would be desirable or undesirable, they must recognise that it is a change which can only be made, and ought only to be made on the initiative and proposal of the Government of the day. The responsibility of the Government will remain. The House of Commons cannot take away from the Executive Government the responsibility for carrying on the administration of the country and maintaining it in an efficient condition. Is it conceivable that such a far-reaching change as this will be made by the House of Commons on the motion of private Members, who have no responsibility, and may I say without offence, most of whom are without any experience of administration, on a Friday afternoon in an exceptionally thin House even for a Friday, and after a Debate which was initiated by some forty or forty-five Members after a Count? That is not the attitude or temper of the House of Commons at the moment when it is qualified to make a far-reaching change of this sort.

I do not agree that in the question brought forward in this Bill there is any question whatever, in the general sense, as to the fitness or unfitness of married women for any particular work. In spite of what the hon. Member for West Leicester (Mr. Pethick-Lawrence) has said, there is no question, so far as I can see, of maintaining or defending the economic independence of women, and all the talk we have heard about the Married Women's Property Act and other Measures which have been passed in the interests

of women are quite irrelevant to the subject we have to consider. I oppose this Bill from both the aspects to which I have referred, I oppose it, first of all, in what I believe are the best interests of the women themselves. The House will observe that the most this Bill can do, if it were effective, is to prevent the employment of women in the public service merely by reason of their being married. It is quite obvious that as time goes on, if this was passed, there would be an inconvenience created, to which I shall refer in a moment, and I believe that the ultimate tendency of such legislation would be to discourage the employment of women, married or unmarried.

*The State, and probably a great many of the local authorities, would be really driven to the employment of men rather than women, so that from a woman's point of view this would be a retrograde Measure. It may be that there are hon. Members who would not deplore that result, who would say that if the Bill increased the employment of men they would support it on that ground. It is an arguable point. At all events, speaking as I do for the moment in the interests of women, I say that this would be a retrograde Measure and would not be in their interests. I have noticed that the speakers, almost without exception, have been supporting this Bill as a matter of principle or theory rather than as a matter of practical politics. In fact my Noble Friend the Member for Sutton showed the attitude of her mind in what she said regarding the opposition which comes from the women in the Civil Service. It was a very awkward point for the supporters of the Bill to meet and various attempts have been made rather to leave it aside. Some have taken the line of the hon. and learned Member for South-East Leeds (Sir H. Slessor), who went so far, driven by the necessities of the case he was supporting, as to attribute the most barefaced selfishness to these particular women, not at all complimentary to the sex or the profession which they adorn. He said it was just as selfish, and that if red-haired people could get rid of black-haired people from employment, no doubt they would gladly do so. I do not believe that the opposition of the Civil Service women is on quite so low a level as that.*

*Not only have I read the Circular, but I have been favoured with a private letter from the Secretary of that organisation, asking me to oppose this Bill in the interests of the women in the Civil Service. After all they are the people mostly concerned. It is quite true that I have seen a formidable list of various women's associations, printed as a catalogue, as being supporters of the Bill. These catalogues of societies supporting or opposing a particular Measure I am bound to say never impress me very much. They are always the work of mere executive committees who have never consulted the hundreds or thousands, as the case may be, of the women who are the members of*

those organisations. It has very frequently been my experience, and I expect it has been the experience of other hon. Members, that they have received letters either from men or women, as the case may be, for or against a given Measure, utterly at variance with the view put forward by the very organisations to which those people belong. I know that that is so in this case. I know that there are numbers of individual women—how many one cannot tell—members of associations whose executive committees have come forward in opposition, but who in point of fact take a very different view. I do not think that this Bill, therefore, is so much for a practical purpose as for a theory. The Noble Lady the Member for Sutton said, with regard to these women, that their opposition was not on principle but on expediency.

So is mine. This is not a question which ought to be decided on principle. It is no use talking here about great questions of justice and equality which are not really involved. The whole question here is whether or not the proposals of the Bill will do two things—first and foremost, whether they will improve or not improve the public service: and, secondly, whether by doing so, by maintaining them in their present position or making the proposed change, an injustice will be done to any individuals, whether men or women. I have said that I regard this Bill as reactionary. Several Members have referred to the old saying that a woman's place is in her home. The hon. Member who moved the Second Reading of the Bill began by saying that he hoped that that old-fashioned tag would not be brought out as a ground of opposition to the Bill. But as other hon. Members have pointed out, while that tag may be run to death and a great deal of nonsense has been talked about it, nevertheless there is an element of truth in it, and in relation to the conditions of women in the country you cannot altogether leave out of account the element of truth in the statement that women have duties in their homes, as have men, and from the point of view of the social side I think it is very well worth considering whether to allow married women to continue in public service after marriage would be an encouragement by the State of neglect of that side of their duties—I do not put it higher than that.

When the hon. Member for Shoreditch (Mr. Thurtle) talked about the Government being a model employer I entirely agreed in principle. I think the Government ought to be a model employer. But I am very doubtful whether it is a model that ought to be held up to the whole of the employing section of the country, to give employment and wages by preference to married women who, ex hypothesi, ought to be, and in a great many cases are, adequately supported by their husbands—whether or not to make that particular move would be offering a model to be followed by the whole employing classes of the

country. I do not want to put the case too high. I quite agree that there are qualifying circumstances, and that no statement of the case on those lines could be put without admitting many exceptions. I do not agree with the hon. Member who appeared to think that if you accept the idea of a Government being a model employer that in itself is sufficient to carry this Bill through Parliament. I will not say anything more about that matter from the point of view of the opposition of the women themselves.

I come to the other side of it, the position with regard to the Government. This is where I feel that the most important and most imperative aspect of this Bill comes in, and where I, of course, have to speak not merely from my personal feeling about it, but also as the representative of the Government who temporarily has some responsibility with regard to the Civil Service itself. The question is, can this change be made, as proposed in the Bill, without injury to the public service? I do not think it can, and for this reason—that it is a question of efficiency. There has been a good deal of discussion to-day on the question of efficiency, and some hon. Members have spoken as if efficiency or inefficiency were easily ascertainable qualities. I do not know what test they would apply, but they seem to think that if a woman is inefficient there is no difficulty in knowing about it and getting rid of her. The hon. Member for West Leicester laid a good deal of stress upon that and said the Bill did not take away from the departments the power and the right to dismiss a woman if she should prove inefficient. I agree; but that does not cover the ground. What is inefficiency? It is a relative term. Inefficiency is a thing which depends, first, on the particular employment in which a person is engaged. A man or woman may be very efficient for one particular employment and quite inefficient for something else. A person may be very inefficient at one moment, and perfectly efficient at another, and that is why I think there is no real analogy between the public service and such pursuits as the theatrical profession and others. With regard to law and medicine and the theatre—in the last not perhaps quite to the same extent—it does not much matter whether the efficiency of the individual concerned is, at certain times, of doubtful duration. It does not make much difference to the solicitor, the doctor or the actress if they happen to be in a state of health at any given moment which compels them to retire temporarily from their work. It may be an inconvenience and a loss, but it does not affect gravely or permanently their efficiency in that particular employment. It is a totally different thing in the Civil Service and in the carrying out of the great machinery of government.

The House must remember that the Civil Service is a gigantic service, and requires tremendous organisation to carry it on with efficiency. There are many different grades employed, and there is nothing more important for carrying on the service efficiently than continuity. The hon. Member for West Leicester is quite off the mark when he talks about the ease with which you can dismiss an inefficient woman worker. The married woman worker may be perfectly fit for her job in certain months of the year, and may become efficient again before the end of the year; but there may be considerable intervals in the year when, for reasons which are perfectly clear to everybody, her efficiency for carrying on that particular work disappears. She is incapacitated, and she can no longer be said to be efficient for the necessities of her particular employment.

This has been clearly recognised, because in the Civil Service, unlike most professions, there is a medical examination both for men and for women who enter it. That is because in the interests of the service as a whole you must not take a high sickness risk. If a person's physical condition is such that, though perfectly fit in the ordinary sense of the word, a medical examination shows the seeds of disease in his constitution, his employment in the Civil Service would mean the acceptance of a high risk of breach of continuity in his work. Such a person would not pass the medical examination, and would not be considered as qualified for the public service. Consider what the effect would be if the rule at present in existence were repealed. Obviously women and men alike must take the ordinary sickness risk. It cannot be eliminated, but we try to get the risk as low as possible by medical examination and discrimination. What the proposers of the Bill are asking the Government to do is to increase the sickness risk—the risk of discontinuance in the service—in the case of women after they are married. No one suggests or wishes that the ordinary and natural sequence of marriage should be interfered with. One naturally hopes that every happy marriage will be followed by a family, and that means that for some years the continuity of the woman's public service is liable to be interrupted—interrupted perhaps for very prolonged periods, and at any rate, for a minimum period which is not inconsiderable. The period is very uncertain and the degree to which efficiency is interfered with varies very much according to the individual. It is common medical knowledge that in some cases pregnancy inflicts great loss of health and strength and spirits upon a woman; sometimes for many months, while others who are more happily constituted will go on until within a few days of confinement without apparently suffering any

loss of physical vigour. These facts add enormously to the sickness risk which the Government would have to take, with a consequent immense loss over the whole service of that efficiency upon which, at present, the conduct of the service rests.

I think these are sufficient reasons to show that in this particular public service the House of Commons would be most ill-advised to take this step on a Friday afternoon without any advice or consideration by those who have had long experience in the administration of the Civil Service, and who will be obliged to maintain their responsibility for carrying it on under whatever rules may be imposed. Reference has been made to the apparent inconsistency between the existing practice and the Act of 1919. The hon. and gallant Member for Ripon said that the law as administered did not carry out the intentions of Parliament. I do not accept that, but it is not relevant to my argument. *My hon. and gallant Friend knows that there was a proviso in the Act of 1919 in regard to the Civil Service which expressly reserved to them the right to make their regulations by Orders in Council. If my hon. and gallant Friend is right as to the general intention in regard to women's employment the fact rather strengthens my argument. If he is right about that, then it is clear that Parliament had in mind at that time that the rule could not be applied to the Civil Service, because they reserved to His Majesty in Council the power to make regulations as to the terms of service in the Civil Service.*

*That means to say that it would be competent to the Government and Parliament or to His Majesty in Council to make a regulation admitting married women to employment in the Civil Service. There is nothing to prevent that, and such appointments would not be invalid, but the Act of 1919 imposes no obligation either upon the Government as regards the Civil Service, or upon any local authority as regards their employees, to act upon that, and to make the appointments which the Act rendered valid. That is, I understand, the correct reading of the law. Having regard to all those considerations, I hope very much that the House will not be led astray by the very natural sympathy which they feel for rounding off what has already been done in the interests of women, and that they will not lose sight of the suggestion that I have made that possibly it would not be in the interests of women themselves to pass this most reactionary Bill. Lastly, what is still more important than the interests of any section of the population, I would urge again the argument of the efficient administration of the Government service.*

Mr. BRIANT: The right hon. Gentleman the Financial Secretary to the Treasury certainly cannot be looked upon as an opponent of women's causes, but the remainder of the speeches against this

Bill have been reminiscent of the kind of speeches which we hear in opposition to every movement for the emancipation of women. In fact, the arguments might be used and have been used for the last 50 years whenever women have raised any point in connection with their liberties. They amount to this, that in the minds of many men, woman is not to be the arbiter of her own fortune or her own fate, but that man, from a somewhat superior altitude, is to decide for her what occupation she must or must not enter, and even the conditions of that occupation when she has entered it. One cannot help feeling that the main opposition comes from the desire that women shall not have equal opportunities with men. I think the right hon. Gentleman has hardly been fair. He said that this Bill gave a preference to married women, but it gives no such preference at all. All that it asks is that there should be no preference given to the unmarried woman over the married woman; and that it shall not be assumed that, because a woman is married, she is unfit for occupation. Is it fair that, without considering any of the facts of the particular post, an authority should say: "No, the fact that you are married debars you"?

I do not believe it is a fact that this is going to affect women's employment. The majority of employers do not think so. They are only too ready to employ married women, and they find that they are quite as capable as anyone else. Indeed, from the point of view of economy and of efficiency in the public service, it is very undesirable that a woman who has had many years' training for that service, should be dismissed from the service at the time when she is probably becoming most efficient. I am one of those who believe that in nine cases out of ten a woman is better employed at home, but I still maintain as a general principle that a woman should be able to choose for herself. As far as I am concerned, I have no wish to drag a woman from the home, but in the main it is the men who have decided and laid down for women rules which they have never ventured to lay down for their own sex. Many speakers say that there are cases of hardship, which might be dealt with by a Committee, but is it fair to expect some of these women to lay before a Committee reasons which may be very private?

I cannot help feeling that the House would be acting unwisely if it rejected this Measure, though it might amend it. Certainly, women have a right to believe, as they do believe, that in the main the resentment against this Measure is the same as that which led men in the past to oppose the vote to women, and to engage in the further fight against its extension to women of 21. I hope the House will remove this disqualification of sex which has been

a disgrace to men. I am sure those responsible for this Bill do not wish to carry it through without Amendment, but I do hope the House will take a step further in the direction of woman's equality, so that no longer shall a man dictate to a woman exactly what she shall do or shall not do, but shall allow her full liberty to choose her own occupation, which liberty men have always desired and obtained for themselves.

Commander WILLIAMS: I wish to bring forward a point of view which has not been raised in this Debate. There seems to be on the part of a certain number of people, a very great desire to get this Bill through at the present time. *We have heard that many women in the Civil Service are absolutely against the Bill. That may or may not be the case, though I think probably it is. But this is essentially a matter for women, and there seems to be a great division of opinion among them. Would it, therefore, not be on the whole fairer to let all the women of the country express an opinion? Most of us in this House have only been influenced so far by the women over 30, and in future we shall be influenced by those under 30 as well as over 30. There is no doubt at all in the minds of certain ladies that this is right, and as you get up the scale you are certain this Bill is right, but when you get down to actual working, there is grave doubt. For that reason, although I am quite prepared to admit there is a great deal to be said on both sides, on the whole I think it would be fairer to wait before deciding this matter until the younger women, who are just about to enter politics, can exercise the vote.*

Dr. LITTLE: The opposition to this Bill seems to be largely founded upon what, I venture to think, are fallacious medical propositions. The objection made to the employment of women seems to rest largely upon a physiological incident of life among married women. A physiological incident is one which varies very much in its operation in the suspension of activity. But do men suffer from no sexual disability? I think anyone comparing the numbers of absentees in any service, both male and female, will find quite as many males suffer from sexual disability, and absences from this cause are an important set off to the absences of women caused by disabilities resulting from sex.

The universities of this country have had this question before them and have solved it for themselves. They have made no distinction whatever between the sexes. I submit there is no support for what I call the medical argument. It has not been urged by any medical authority, and it falls to the ground the moment it is examined.

## APPENDIX

*(The last section of the C.S.C.A. Circular to M.P.s, not read by Mr. Remer.)*

PARTICULARS REGARDING TYPES OF HARDSHIP CASES AMONGST MARRIED WOMEN FOR WHOM SPECIAL TREATMENT IS SUGGESTED.

ESTABLISHMENT OF TEMPORARY WOMEN CIVIL SERVANTS.

Temporary Women Clerks, under the Lytton Committee Report, had to have their personal circumstances investigated by Substitution Committees consisting of establishment officers, representatives of the temporary ex-Service men, and representatives of the temporary women themselves. In order to retain their posts, they had to prove a severe degree of personal hardship, otherwise they were substituted by ex-Service men.

In this connection, a number of married women temporarily employed were classified by Substitution Committees as hardship cases, to be treated as single women or widows for the purposes of retention in a temporary capacity. In the main, these women were deserted or legally separated wives, or women whose husbands were dependent upon them by reason of the permanent incapacity of the latter to earn on grounds of health.

Although treated as single for the purposes of retention as temporaries, they were barred from establishment because they were married. At the same time, deserted wives whose husbands died subsequently, were able to be established as widows, women who had divorced or been divorced by their husbands were entitled to establishment, and women who were living with and supported by men to whom they were not married, could not be barred from establishment.

REINSTATEMENT OF EX-CIVIL SERVANTS.

Under existing regulations, a woman Civil Servant who has resigned on marriage, and is subsequently widowed, may be reinstated, and there is nothing to prevent the reinstatement of a woman who desires reinstatement who has divorced her husband, but women cannot be reinstated who fall into the hardship categories referred to in connection with the establishment of temporary women above.

In the view of our women, these are entirely unfair anomalies, and should be removed. **They consider that there should be no bar on the establishment of temporary women, or the reinstatement of ex-Civil Servants who are deserted or legally separated wives, or who have compulsorily dependent husbands.**