

COMMUNICATIONS

Valerie Burton's review of my paper "Liverpool Dock Engineers, Railways and Engineering Ethics" in *Nineteenth Century Business Ethics* (*The Northern Mariner/Le Marin du Nord*, July 1994), seems so far to transgress the boundaries of fair comment, while giving a completely misleading impression of its content as to demand some response. "In a manner reminiscent of the British tabloid press, Jarvis slates these men for inappropriate and unethical conduct." I feel entitled to inquire which men I slated. The following engineers receive more than a passing mention: James Brindley, George Stephenson, John Foster, Jesse Hartley, John Bernard Hartley, George Fosbery Lyster, James Meadows Rendel and Anthony George Lyster. Not one of them is "slated." Neither James Brindley nor George Stephenson "attempted to conceal the (possibly dubious) transactions and the suspicion must be that if 'accused' they would have been quite mystified at the suggestion they had done anything wrong" and I go on to point out that Smiles, in his highly moral biographies of these two engineers, clearly did not disapprove of their actions either.

Of John Foster I wrote that although he was involved in numerous activities which outraged the Audit Commissioners, it was probably only in Liverpool that the scrutiny to which Foster was subjected could have happened, and that "in short, while Foster would have been instantly dismissed by the likes of Jessop or Rennie, his employers were only just beginning to make up the rules. In the circumstances, his actions were much less culpable than appears at first sight." On the charges of nepotism raised against Foster, I pointed out that nepotism at the time was not a serious issue, and was common, justifiable and successful practice in engineering circles. I then made the ironical point in passing that the selection of G.F. Lyster by the modern method

of open competition resulted in the appointment of a man whose works were marked by a number of engineering failures, and that when his son was appointed as his successor, causing complaints about nepotism, Lyster Jnr. "proved to be by far the better engineer of the two." Of Jesse Hartley, I had this to say: "He appears never to have done anything remotely dubious by then current standards," and I later refer to him as Lyster's "honoured predecessor" — which he rightly was.

G.F. Lyster is portrayed in a sympathetic light as a man caught in the shifting standards of the profession as a whole and the avoidance of anomalous judgement is not, as Dr. Burton states, paid "lip-service" but observed in such matters as enclosing words like "impropriety" in scare quotes, even when they are allusions to contemporary accusations. When Lyster's Annual Reports are criticised as "intended to obscure rather than to inform" it is pointed out that this was a normal practice in the railway industry. When Lyster is criticised for sounding arrogant, his side of the argument — that he was defending professional dignity "in the face of interference by ill-tutored politicians" — is stated. Further, I rather cynically suggest that had his engineering works been more successful, ethical questions might never have been raised against him, and continue thus: 'Given that he was employed in a non-profit making public trust and was the best-paid salaried engineer in the country, those high expectations (i.e. of being beyond ethical reproach) were understandable. Whether they were reasonable is another matter.'

There are, however, examples to be found of engineers being "slated" and of the use of "tabloid language," each of them paraphrased or quoted from, and referenced to, contemporary material. Not only are they not my anachronistic

judgements, being neither mine nor anachronistic, but I also point out that the people making them were mostly making their money from writing, not from business or engineering, so that their views need treating with caution.

Dr. Burton's view of the paper stems from this quotation: 'He passes judgement from a position which is foreshadowed in his introductory comment "engineers and their employers frequently acted in a manner which would today be regarded as highly unethical and which would in some cases result in major scandal and likely imprisonment." The next words in my introduction are these: "Clearly it is impossible to apply modern standards to the question 'Was this reasonable behaviour?' which can only be answered in terms of values current at the time." I find it difficult to explain the truncation of the quotation.

The only point at which the paper is admittedly judgemental is in some fairly mild criticism of the Institution of Civil Engineers which, on three occasions in the 1860s, came face to face with the issue of what did or did not constitute disgraceful or unprofessional conduct "and on each occasion it ducked the issue." It was not until 1910, for example, that any strictures on conflict of interest were codified, and this fact was introduced to make clear the vague and shifting nature of the "standards" — if we may call them that — with which engineers were expected to comply. The only severe criticism of the Institution's professional values is quoted from its own *Minutes of Proceedings*.

I am accused of being "naively optimistic about the present." This, in conjunction with the accusation of whiggery, implies that I take the view that modern ethical standards are higher and that one may trace a gradual elevation out of the mists of time to the splendours of today. At no stage in the paper are ethical changes mentioned in conjunction with any such loaded words as "improvement," "rise" or "good" except where related to contemporary views. Many instances will be found of such remarks as "Contemporary standards were different," "ideas of such procedures had so changed," and

"through the apparently changing standards." Any specific revelation of my own views of the relative merits of present and nineteenth century practices was avoided as irrelevant, though some readers might have correctly assumed from the occasional snide aside about, for example, meritocracy or competition, that my views of the present are very far from optimistic.

Dr. Burton seems unaware that the unquestioning use of "Whiggish" as a term of abuse is something of a two-edged sword. While I set out in my paper to weigh past behaviour against past standards, she, in the tradition of the Whigs themselves, assumes that modern historical technique is axiomatically better than any in the past. As her offering in this review proves, that is not a necessary consequence of a post-Butterfield approach. It is over twenty years since Rupert Hall pointed out that in some fields the out-of-hand rejection of notions of improvement or progress may be simplistic and unhelpful to the point of perversity. A whiggish approach to the subject of my paper might in any case be held to consist of tracing the progress and improvement in sophistication of the means by which some businessmen and engineers cheated shareholders and clients. In short, whiggery is not a simple issue.

I must confess that the criticism I expected might be made of this paper was that it spent too much time complaining about the lack of measurable standards and their changing nature, and not enough trying to deduce and expound them before weighing the engineers against them. I shall be interested to see a single (legitimate) quotation either from that paper or from the Introduction which supports Dr. Burton's allegations of judgementalism.

The paper was admittedly an Aunt Sally, as indeed was the whole publication. Success in the game of Aunt Sally is achieved by knocking the dolly off the iron rather than by shouting abuse at the other players.

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