



Professional Men, Professional Women

The European Professions from the 19th Century until Today

MARIA MALATESTA



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Nineteenth Century until Today

Maria Malatesta

Translated by Adrian Belton

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To my niece Beatrice

S E P S

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Introduction: The European Professions between Crisis and Transformation

This book recounts the story of the principal European liberal professions from the demise of the *Ancien Régime* to the formation of the European Union and thereafter. It is a historical study which makes use of sociological concepts. The barriers that used to divide sociology from the history of the professions have long since disappeared, and recent studies by Michael Burrage (2006) and Liora Israël (2005) are excellent examples of sociology's use of historiographical tools and approaches. A long-period time horizon and comparative analysis are the pivotal dimensions of this book, which conducts a joint study of the liberal professions in four European countries and across two centuries from the French Revolution to 2006.

Ample space is devoted to the gender question. The intertwined topics of the access to higher education by women and the entry by female pioneers into the intellectual professions during the nineteenth and twentieth centuries, the slow and difficult feminization of the liberal professions in the first half of the 1900s, and finally the explosion of the female presence at the end of the twentieth century, take up an entire chapter and are addressed by means of a twofold comparison among countries and among professions.

What Professions, What Countries?

The professions selected are those pertaining to the law (advocates, notaries, judges), and those of physician, engineer and accountant (although this last profession is usually considered the exclusive preserve of scholars of accounting). The criteria used to make this selection have prioritized those professions which are regulated in various ways by the state, endowed with associations performing functions of representation and control, and requiring high credentials obtained from tertiary-level education. Finally, many of their members have belonged to the national ruling class and exercised political power. In the nineteenth century, they formed strictly male 'gentlemen's clubs' which regulated themselves by fostering a sense of belonging to a national elite.

This model is not absolute, and it comprises a number of differences across countries and among professions. The main difference is between the continental pattern, in which the state's control over, and regulation of, the professions has always prevailed (starting with education), and the British professional pattern of self-regulation long inspired by the philosophy of 'learning-by-doing'. These differences have diminished over time, as new approaches to the history of the university demonstrate (see e.g. Rüegg, 2004). Today, the majority of British professionals are graduates like their counterparts on the continent, although there are still several gateways to entrance into the British professions.

There are other differences between the professions selected; primarily that between, on the one hand, the legal and medical professions, which enjoyed great prestige during the *Ancien Régime*, and which in the contemporary age have represented a status and organizational model to be emulated, and, on the other, the technical and accounting professions, often of humbler origins, which with time have ascended the status hierarchy by developing their disciplines and raising their educational credentials.

Comparing and Deconstructing Histories

The method used in this study is comparison among individual professions in the four countries: Great Britain, France, Germany and Italy. This approach has been selected in order to overcome the rigidities inherent in models based on a comparison between national professional systems and national intellectual fields, a tendency today superseded by the need to identify the genesis and structuring of transnational professional fields. The sociology which draws on Pierre Bourdieu's thought uses the concepts of field and elite – which he applied at national level – to study how transnational elites are formed (Dezalay and Garth, 1996).

This approach couched in terms of individual professions has facilitated the deconstruction and reconstruction of their histories so as to uncover both similarities among professions pertaining to various national cases and differences among the professions belonging to the same national systems. Social scientists have demonstrated the existence of diverse national professional patterns. Prevalent in Italy and Germany has been a rather uniform state model whose distinctive features have been close connections between educational and professional systems, and between qualifications and professional practice.

The French professional system is a part of state corporatism. Its development has been a long-term process which began during the Napoleonic regime and culminated after the Second World War in the Statute of the

Public Function, where by 'public function' is meant the array of public services furnished by professional groups institutionalized by the state (Dubar and Tripier, 1998). But the French system is far from being homogeneous; a feature which demonstrates that national professional systems cannot be taken for granted but must instead be analysed from a dynamic perspective which highlights their continuities and discontinuities, and their differences across different periods.

Over the last two centuries, the development of the French professional system has been driven by cross-cultural and institutional factors which have given rise to variations within the national arena. Until the Vichy regime, which imitated Italian fascist corporatism and introduced professional orders, the French system was twofold in its nature: only the advocates had an order, the other professions being represented by professional trade unions. This dualism was the result of two different professional cultures and two different perceptions of the past and the national tradition. Lawyers defended their order created during the old regime, eliminated by the Revolution, and then restored by Napoleon. The order of French lawyers represented their professional identity, their culture and their corporate tradition. The French doctors, by contrast, long rejected any corporate representation, and in doing so demonstrated their fidelity to the ideals and culture of the French Revolution. The memory of the French medical profession was the Revolution, on which it built a new and glorious scientific tradition; that of the legal profession was instead the old regime, during which it had reached the zenith of its power.

Secondly, the approach in terms of individual professions enables better specification to be made of the similarities among professions pertaining to various national cases. Examples of such similarities are those between the British and Italian national health services after the Second World War and, in comparison, the similarities (and differences) between the French and the German ones based on health insurance; the French and Italian legal orders in the nineteenth century; the Italian and German 'single' advocate versus the British dualism of the legal profession and the French 'kaleidoscope' made up of numerous legal professions; the similarities between the French *polytechniciens* and the Italian engineers at the beginning of the nineteenth century, both belonging to high social strata; and that between the Italian engineers educated at the Polytechnic of Milan and the German certified engineers since the end of the last century.

Discontinuity and Asymmetry

The intellectual professions have played a constitutive role in the history of Europe like that performed by science and the universities. Since the

nineteenth century, they have helped build modernity and consolidate European societies by using the crucial instruments of knowledge and mediation. The constitutive role of the intellectual professions has also consisted in their essential function of communicating between state and society, between the public and the private spheres, and it has made a fundamental contribution to the construction of both of them.

The history of the professions has unfolded through the crucial phases of Western Europe's history: the building of the nation states, economic and social growth, the totalitarian regimes, the welfare state and the advent of mass democracies. For this reason, we may consider the professions as among the main agents of the transition to modernity and post-modernity. They have participated in the process of change in two main ways: by favouring change in European societies with their expertise, and by mediating, rationalizing and solving problems through the exercise of organized knowledge. At the same time, they have in their turn been transformed by social change.

A transnational perspective highlights the role of the intellectual professions in European transitions. Moreover, contrary to the sociological approach which has recently resumed research on the 'essence' of professions – that is, the 'eternal' qualities distinctive of them at all times and in every place (Sciulli, 2005) – the approach used in this book focuses on the instability characteristic of the history of the European free professions and the changes that have taken place on national and transnational scales beneath their apparent continuity. These processes have been uneven, however. In one of his seminal essays, Hannes Siegrist (1990b) has stressed the discontinuities in professionalization processes. The results of this book confirm his analysis, and they demonstrate that the categories of discontinuity and asymmetry are better suited to assembling a European-scale picture than is research seeking to identify regular processes whereby the European professions have acquired modern credentials. Asymmetry is apparent on both the national and transnational scales. The above example of the French professions constitutes a case of national asymmetry generated by a different self-representation of professional inheritance and a different perception of the past.

The advent of the general practitioner is instead a transnational example of symmetry. The dual model on which the nineteenth-century medical profession was based, and which was characterized by the split between cantonal and city doctors, lasted in France, Germany and Italy until the end of the 1800s, even though those three countries had reached different levels of development. The rise of medical monopoly instead exhibited an asymmetrical pattern. It triumphed where Napoleonic

legislation had been imposed, namely in France and Italy, while the culture of liberalism which spread among the Germans during the *Vormaertz* was so strong that it prevented the formation of any monopoly. In the case of the medical profession, therefore, a statist country like Germany was more similar to Great Britain than to the other continental countries during the nineteenth century.

National and transnational factors have determined the exclusion of women from the world of the professions and then their further inclusion. Such exclusion has everywhere been driven by factors internal to professional bodies, while inclusion has been mainly brought about by transnational factors, such as wars and their aftermaths, the welfare state, the expansion of higher education, and the greater uniformization of the British and Continental professional patterns. The presence of women in the British legal professions has increased since the 1970s, when their universitarization was completed and the majority of solicitors were graduates.

Transition Costs

The professions have changed because of endogenous and exogenous factors. This distinction is only theoretical, however, for in reality these factors have often combined to produce cumulated effects. Because the professions are weak agents on the market, they have been forced to adopt strategies with which to survive change. In every period, they have sought to pay lower transition costs by adapting to changes or defending them. In the transition from the old regime to the societies of the nineteenth century, professionalization was the device used to curb transaction costs in the passage from the corporative regime to the capitalist market.

The dynamics of change engendered often unstable consensual and/or conflicting behaviours by the professions. Sarfatti Larson (1977) has shown that the search for status, and the defensive and offensive mechanisms adopted to adjust to new circumstances, have been endogenous pressures provoking conflicts which in their turn have engendered change. Abbott (1988) has theorized the importance of conflict for the growth of the contemporary professions, emphasizing their combativeness in wresting markets from similar professions operating in the same or neighbouring fields.

This book first examines the factors internal to the professions which have enabled them to gain status and defend markets. Analysis of the various cases shows that, even in countries pertaining to the statist model like Italy and Germany, a thrust originating from within the professions has been decisive for their modernization in the majority of cases. The book also devotes ample space to analysis of the external agents that have contributed to their transformation according to the period. Each

change factor has produced both conflict and consent by the professions. Research conducted on a two-century time span has highlighted two main external factors responsible for change in the liberal professions: the state and crises.

State

The relation between the professions and the state has historically been one in which each has had need of the other, albeit with numerous conflicts. It has accordingly a close, but ambiguous and mutable, relationship. The professions have repeatedly and insistently demanded recognition, protection and privileges from the state. The state, for its part, has behaved differently according to the country, the period and above all its powers. States and all their agencies have figured among the most important agents of change by granting the professions' demands or by imposing changes on them, even in countries like Britain where the presence of the state in society has been minimal.

A significant example of the role of the state and its agencies in the modernization of the professions is provided by the enlargement of citizenship to encompass women. In the first half of the nineteenth century, the state and professional bodies formed an alliance against the feminist movements in order to exclude women from academia, while between 1860 and 1918 states and universities generally supported the entry of women into higher education. Through the action of parliaments (that of France in 1900, those of Great Britain and Italy in 1919; and that of Germany in 1918 and 1920 for women lawyers), states compelled professional bodies to give women access to professions which they had long been denied. Secondly, the spread of welfare policies broadened professional markets and favoured female employment. Again, an interesting example is that of women solicitors, who took advantage of the extension of legal aid.

Medicine has been the field in which welfare policies have wrought the greatest changes. Socialized medicine has been a transnational conflict arena in which the medical profession initially raised great resistance against changes imposed by states. The creation of national health insurance systems has often been fiercely opposed, as exemplified by the case of Great Britain. In 1910, Lloyd George imposed the new national insurance system without prior bargaining with the medical associations. In 1946, the health minister Aneurin Bevan behaved in a similar manner when he introduced the English National Health Service, provoking a violent reaction from the doctors.

States have also sought to control the professions and recast them to their advantage: as happened under the inter-war totalitarian regimes, where there