

The English Poor Laws 1795 and 1834:
Imperatives and Disciplination of Property
and Poverty

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Abstract

The purpose of this seminar paper (History and Development) is to examine critically the well documented English Poor Laws 1790-1834, as well as the role of the 1832 Poor Law Commission in preparing the grounds for the Poor Law Amendment Act 1834, in a crucial historical period of the upcoming (so called) industrialisation and the raise of capitalism. Much work has been done on the shifts and transitions of British society, classes and property rights in the relevant time, e.g. by Karl Polanyi and his account on the English Speenhamland system. Also the influence of keen English thinkers has been widely debated (e.g. Dean, 1991). In this paper I use the socio-political framework of these accounts to enrich the picture of the time in the view of developing the theory one step further. For this purpose I refer to a rather recent publication on the origin of capitalism of the same title (Wood, 2001). On the grounds of social, political and philosophical analysis, while following Foucaultian thinking, I argue that politics of the newly created masses of poor at the time in question were pre-conditional steps for the narrow way of capitalism and wage labour dependence. The policies in use were clearly developed as disciplinary action for the sake of proprietors of enclosed land, at which the personal involvement of scholars and in particular Bentham, Locke, Malthus, etc. was decisive. Also the establishment of the British Stock Exchange and its racketeering around the French-English war at the turn of the century is, to a certain extend, considered here.

By reframing the depiction of the incidents of those time, I do not only argue for a holistic understanding of social transition. It allows stating that the time in question was crucial for our still prevailing modernity project: Development theories. It is furthermore possible to demonstrate that most of the narratives we encounter in their particular history are prevalent and valid in universalized accounts of modernisation theory, and even still today, when e.g. states are classified as “failed states.” Because of being unable to complete the transition (“to get rid of the obstacles”) to supposedly universalistic evolvement of capitalism via industrialism. By doing so, the intention of our seminar, to combine History and Development, is illustrated at a striking example of, what could be called, “historical induction”. Namely the objectivation and universalisation of a very unique, contingent and particular historical period of mankind.

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1 Introduction

“The” proper development of nations, regions and cultures is nowadays still usually seen as a rather mechanical process (to the greater or lesser extend) or assumed as being a result of planning. One of the most intriguing, but also too less contested assumption, is the notion of modernity as having always been hiddenly existed in the then-forthcoming history of humankind. As if, somewhere disguised and shrouded by all kinds of obstacles, layed the teleological nucleus for a later flourishing. This kind of story is in particular commonly used in conjunction with the raise of capitalism, and again, especially in England during the so called Industrial Revolution. An approach, being by no means new. As E.M. Woods put it: “In most accounts of capitalism and its origin, there really *is* no origin. Capitalism seems always to be there, somewhere; and it only needs to be released from its chains - for instance, from the fetters of feudalism - to be allowed to grow and mature.” (Woods, 2002: 4). Other frequent invoked obstacles typically include political fetters: autocratic states, wrong political system or simply corruption. It is not less conceivable to imagine similar arguments for religious or ideological reasons. The philosopher J. Schelkshorn, for instance, suggests in his recent voluminous examination of “modernity” (modern spirit) three types of essential delimitations¹ which lead over centuries to what we call modernity: 1.) The paradigm of Enlightenment as breakthrough to reason, to which all cultures have (or had) to adopt. 2.) A specific system of power: Reason became, in consequence of Nietzsche’s famous critics, synonymous with power. 3.) Culture and contingency: Modernity is a contingent and particular cultural event, following proper patterns (Schelkshorn, 2009). By implication, one can easily assume that all three threads are, in various layouts, still prevalent in scientific discourses. What is yet suggested by his rhetorics, seems again generally prevailing: A certain type of narrative wrapping-up of history as a teleological unfolding of Hegelian-like stages of civilisation. The critique of such approaches is particularly valid, if we consider the similar narratives offered by modernisation theories of the 20th century towards

¹“Entgrenzungen” in the German original, which also implies a dissolution of boundaries.

prosperous development.

Moreover, we become aware of the necessarily interconnectedness of History, Development Theories and expectations for the future at any given historical or present stage. In particular the connexion between historical justification and concrete planning of development is of highest interest for this present study, precisely the general exposure to poverty. As (industrial and agrarian) capitalism in a very specific and narrow type (Woods, 2002) arose in England during 17th, 18th, and 19th century and in sharp contrast to absolutism which evolved in France, it is advisable to scrutinise its basic assumptions and features, which, more or less simultaneously, spread through colonialism all over the world. Dealing with the poor has a very particular history and tradition in England of that time. It is argued in this paper that in the time span around 1750 - 1840, the future direction, in political and economical terms, of capitalistic triumph to which we still adhere today were set. (and which is actively promoted by development economics).

As initial point for my paper, I can act on four basic assumptions: First, history of Political Economy thinking, i.e. Thomas Malthus' writings or Adam Smith' "Wealth of Nations" and "Theory of Moral Sentiments", as well as the philosophical ascent of utilitarianism, mostly by writings from Edmund Burke and Jeremy Bentham (and his colleague Chadwick), framed and influenced the position as well as public discourse towards the poor at that time. Second, exactly in the questioned period of time fell a tremendous shift in terms of poor relief: From the Speenhamland system to the installation of workhouses and further increase of labour productivity. This increase of productivity coincides with the general change of notions towards property and the ascending imperatives of "productive use". Third, the crucial role of evaluative commissions to establish categories for poverty, relief, needs and other demands finally entailed a further restructured system of political attitudes. Fourth, because of a similar practice, resulting from the outcome in England after the II. Napoleonic War (1803-1815), in Scotland and Ireland, which lead to an immense discharge of labour after decades of unprecedented population growth, the practice itself expanded to all British colonies and settlements. Yet the same outcome and its underlying theories were used to legitimate the colonial undertaking (Woods, 2002: 147pp.).

This holistic approach allows to sketch my main research questions: To which extent might it be conceivable to identify particularly the later “modernisation patterns”, viz. assumptions, narratives and arguments, which were (or are) applied in development thinking and projects as justification for action? In the following chapters I will specify what is meant hereby.

Since holistic and rather broad accounts of history usually tend to neglect the impact of contingency in favour of coercive power, I will strictly ask for the really traceable impact of thinkers on the Poor Law Commission of 1832. Hence, which role did the Commission actually play in reframing the exposure to poverty? And more general: Can we eventually reasonably argue for an arguably established approach to the poor, being inseparably mingled with the creation of (capitalism based) social classes - in England at the time, but as well even today throughout the world, accompanied by a process termed “development”?

To answer these questions a detailed examination of the incidents between 1790 and 1834 (this date marks the commencement of the “New Poor Law”) is necessary. Much ink has been spilled about this time span, i.e. the accounts on the Speenhamland system in such famous works as Karl Polanyi’s “The Great Transformation” (1944), which facilitates the access to basic data. Students of Poor Law’s history, particularly in Great Britain, are used to be quite familiar with the topic, while little about this crucial era is known outside the UK (or Commonwealth). The current state of sources is excellent, while a more holistic interpretation and cautious transdisciplinary composition is lacking. Since historians, and for good reasons, seem to have rather abstained from such a re-interpretation (with one exception: Mitchell, 1991), it might need a less reluctant sweep to put the pieces in the right order. This will not provide an answer, but rather render a specific perspective to open discussion. Therefore, while trying to confine myself regarding historical details, I am providing in the following chapter a succinct survey of society, poor laws and socio-economic realm in England at that time.

2 The Poor Laws and their socio-economical context²

Ever since, poor relief has been intimately linked with moral responsibility of the church and religious houses distributed alms and reliefs to paupers. A statute of 1536 made the parishes responsible for the care of the poor, which assigned a crucial task for the next centuries. In 1572 the office of the Overseer of the poor was created: They were chosen annually, unpaid and responsible for the conduct of the Justices of the Peace. Parishioners were supposed to contribute voluntarily to poor relief, but funds were quickly insufficient. In 1597/8 therefore, an Act enabled overseers to levy a poor rate on parish households. Together with some minor amendments, these provisions remained in force until 1834.³ For more than two centuries the system of poor relief consisted of levying a poor rate, and its distribution by the overseers according to the income of indigent parishioners (whether reason for poverty was sickness, old age or unemployment). It should be mentioned that child labour was common and usual, children could be bound out to farmers as apprentices and provision was also made for orphans and foundlings.⁴

In the 17th and 18th century poor relief took generally place in the form of outdoor relief, or in the provision of money, food, clothing and other goods to paupers who continued to live in their cottages and parishes. While able-bodied men were consistently employed to maintain bridges, roads and churches by the parish, women hired out as nurses or for laundry work. Indoor relief (viz. in workhouses) originated in the 18th century and it was primarily intended for the sick, orphans and the elderly. Meticulous book-keeping, for the annually levied poor rates and income as well as personalised records of expenditure was commonly done and is still accessible. Parishes also used lists of all not-paupers (landowners, tradesmen, farmers, etc.) and

²This chapter is mainly based on two works: Anthony Brundage's study, 2002 as well as J.D. Marshall's classic examination, 1968.

³The commonly used term regarding the English Poor Laws for the time 1601-1834 is "Old Poor Laws".

⁴Child labour and in particular a discussion about the optimal age to set out for work (i.e. 4 or 6 years) was a constant theme in Political Economy thinking throughout the centuries (Perelman, 1984: 66pp.).

who had to pay for the poor. The amount was depended on the value of the property that they owned or occupied. The last word here is important, as we might see later on. All lists together made it possible to record individual mobility and moves from parish to parish.

This was important, because for long time (exactly from the Poor Law Act 1601) poor relief was only accessible in the parish of one's legal settlement. The intention was to prevent a flux of poor workforce into parishes which offered temporary work. It should be mentioned too, that work in general (as well as times of abundance and undersupply) in those centuries was highly seasonal, according to harvests and other natural cycles. Vagrancy, explicitly without its "modern" negative connotation (it should be asked where this derives from?), was a common and necessary practice in order to survive, not only in the need for work, but also due to the reason that most cottages and counties usually had common grounds and pastures which were open to common usage. According to the fact that poverty and the need for parish relief was a constant threat for everyone, legal settlement provided a much appreciated advantage. Originally, settlement was obtained after a stay of only one month. This caused several problems and lead to many discussions and revisions of the laws until 1662, where an detailed list of preconditions for obtaining relief through perishes was introduced. The new rules were often strictly enforced and generally included the primordial examination of life records (date of birth, previous employments, places of living, etc.) for newcomers by the overseers. ⁵

More could be said about the difficulties to obtain or to retain a legal settlement, respectively to avoid the "removal orders" by the justices. For the context and the argument of this paper it is less important to discuss the different practices exerted on children with regard to their regional belonging. However, finally in 1794 much of the harm of the Settlement Acts was reduced by prohibiting the removal of paupers unless they actually required relief. It was no longer possible to justify removals merely because

⁵We should constantly have in mind Michel Foucault's account on statistical measurement, standardisation, normatisation, and finally "disciplination" as a particular feature of rational modernity. Especially in the equated cases of paupers, potential workforce and idleness as mental sickness - the formation of classes was all, but certainly not non-violent or coercive (Foucault, 1976; Perelman, 1984).

parish officials feared that someone might require future relief. Additionally, a child's legal settlement was linked to the belonging of the mother and not anymore to the place of birth. These changes remained in force until 1834.

But in this crucial time span of only 40 years all patterns of modern change seem to have occurred. From that year 1834 on, people requiring relief generally had to enter workhouses (for the Union in which their parish was located).⁶ Migrant paupers could be denied to enter a workhouse and removed to the Union of belonging. Each Union was directed by an elected Board of Guardians to administer the poor relief. Unions were further subdivided in districts, where a relieving officer considered the circumstances of anyone applying for relief. All able-bodied unemployed persons had to enter the workhouses, which often housed the mentally ill at the same time. It should be stated that, at least the idea of, workhouses had already existed for centuries (promoted as a nationwide solution as of 1723), but the enforcement to enter them was novel and a result of long-lasting discussions about the benefits and abuses of whether indoor or outdoor relief (cf. Brundage, 2002: 11). For old, sick and widows outdoor relief was still granted. These workhouses continued to operate until 1948, when the National Assistance Act abolished the Poor Laws. In Britain, one can still encounter elder persons who speak about the "spike" or "pogie" (Scotland), which simply means workhouse (Brundage, 2002).

2.1 The socio-economical context 1770-1800

"By 1776 around 2000 parishes and workhouses had been established in England and Wales, housing almost 100,000 paupers."⁷ Workhouses performed a very useful and encompassing role in terms of social policy- in a time of unprecedented growth of population. "The population expanded far more

⁶The so called "New Poor Law" of 1834 grouped parishes in Unions, at least 600 by number (Marshall, 1968).

⁷In this exceptional case the very well documented article on Wikipedia might serve as reliable source: http://en.wikipedia.org/wiki/English_Poor_Laws [accessed: 18.12.2009], based on the online version of "Economic History Services Encyclopedia": George Boyer: <http://eh.net/encyclopedia/article/boyer.poor.laws.england> [18.12.2009].

rapidly in the latter half of the century, increasing by nearly 50 per cent to a figure of 8.7 million by 1801 (Brundage, 2002: 24). In 1782 an Act passed legislation that workhouses should only provide shelter to the ill and aged and instead introduced a system of outdoor relief for all able-bodied, the basis for the *Speenhamland-system*.⁸ It is exactly this famous system which came directly under attack by Malthus and many other economists and philosophers of that time. Due to the high prices, but constantly low wages in early agrarian capitalism, Speenhamland outdoor relief permitted to pay direct subsidies as a top up to the meager wages. But what was the case history of this shift?

First, the years 1795/1796 yielded bad harvests, which was very much discussed as cause for the grain prices and difficulties for supply at that time. Namely, because it became also impossible to import cheap grain due to the Napoleonic Wars, which raised the price for bread substantially.⁹ In fact, “wages did not increase and the result was widespread distress among the agricultural labourers.” (ibid., 2002). Wage allowances (precisely, “allowances-in-aid-of-wages”) were usually linked to both the number of children as well as the given price for bread according to which the top ups were indexed. They clearly enabled labourers and their family to sustain themselves during difficult times. More and more people were unable to make ends, even with full employment in those times of need. “Many parochial officials and justices viewed allowances as an acceptable solution to the dearth of the late 1790s”, as Brundage (2002: 27) states in his recent encompassing review of the Poor Laws. The alternative would have been to raise wages, but was at the same time considered too difficult to reverse once food prices had gone down.

The Speenhamland system marks a general shift in a time of rapid change: First, it reflected how “modernising” market conditions impacted upon poor laws (fusion of wages and allowances, instead of independent subsistence). Second, it was a major factor in the clash of ideas about poverty

⁸Named after a meeting at the Pelican Inn in Speenhamland, Berkshire, where some local authorities discussed the idea as a means to mitigate rural poverty in England. Historians tend to stress the connection to the high grain prices at that time due to the Napoleonic Wars.

⁹Cf. Marjie Bloy (2002): <http://www.victorianweb.org/history/poorlaw/plintro.html> [accessed: 17.12.2009].

and poor relief that marked the 1790s. Even if the actual effects and true dimensions of the Speenhamland system seem to have been overestimated by coevals (Thomas Malthus published his famous icy calculations as “An Essay on the Principle of Population” in 1798 in six editions until 1826) as well as by many later historians (cf. Brundage, 2002: 29). In fact, the system was applied only in certain districts (mainly in the East and agrarian South¹⁰) and only at certain times of the year (cf. *ibid.*: 29).

2.2 The socio-economical context 1800-1834

Strangely enough, very little is known about the time between 1800 and 1820. In the scholarly literature regarding the time in question, this crucial period for the world marks a rather blank spot. Although the economical system in Britain underwent major structural changes (Brundage, 2002: 29), which are unfortunately usually not reported in detail by historians, and wage labour took off on its triumphal course, the distracting Napoleonic war obviously arrested the attention of scholars.

Let's start with the well known facts: In the second half of 18th century the number of banks generally increased rapidly. Despite the admired and aspired standard of larger joint-stock banks in Scotland, the merger of many fragmented small banks in England was rather halting (as of 1800). Many banks were founded by new industrialists or landowners and their main business, except from credit supply, consisted in emitting, discounting and exchanging money bills (or rather debentures) against deposits made in coins among themselves or in London (Bank of England). This led on the one hand to speculation on exchange, discount and price rates and on the other to retaining money, which was a constant threat to the economic circuit and its necessity to maintain permanent money flows (cf. Daunton, 1995: 346p.).

Yet, another documented fact is the Tory law on grain prices that passed in 1815 which artificially *raised* the price of bread by prohibiting the import

¹⁰Generally speaking, the South and East of England are known to stand in widespread agrarian tradition, where the cycles of seasonal work and unemployment caused tremendous problems when agrarian productivity and technology altered socio-economic frameworks. The seasonal fluctuations had certainly less impact in the North and West of England and its livestock-farming tradition.

of foreign grain. This was intended to maintain the profits made by farmers and triggered, as a matter of course, further distress at a time when unemployment (and population) was rising rapidly.

But yet, there is another part of the story : When prices are generally high (and wages are low) it is deducible that less money is circulating, which implies therefore, to put it mildly, an artificially caused deflation. Between 1797 and 1809 prices had increased by 40%. The parliamentary report, which was charged to examine the reasons for the increase, argued in 1809/1810 that both the right to issue bills by the Bank of England and smaller exchange trades with “country banks” were responsible (cf. Zarlenga, 2008: 246). The issue of bills (by *the* Bank) and notes by *all* banks lead to an expanded volume of money in the markets until the turn of the century in a time of general prosperity. But instead attempting to stabilise the money supply, the Bank of England, also in response to the report mentioned above, started to contract the volume of money by limiting the volume of discount credits between 1811 and 1817 (ibid.). Thus, it is arguably qualified to speak about an artifically caused deflation. Its aim, by the way, was to establish the valuelessness of bullions in the market, while securing sole dominance of bills issued by the Bank. Many discussions followed, known among experts as later disputes on “currency” vs. “banking”-schools and their different accounts of that story. The most important impact of the whole “expansion-reduction exercise” via loans had been of course, that the national debts (Royalities and Government needed money for war) boosted during the first 20 years of the 19th century.¹¹ It is in this particular respect that we have to consider the approaches in writings and public discourses of social reformers of that time regarding complaints about unaffordable costs for poor relief. This argument was used to tackle the Speenhamland system and eventually entailed a further unfolding of wage labour dependency.

¹¹The similar “mechanism” of indebteding at the turn of centuries could be observed for the 1920s and, obviously, in our times as well.

3 On Ideas, Arguments and Politics

History is the collection, interpretation and production of *histories*, in fewer cases even of *herstories*. In particular the history of capitalism and the production of labour and capital markets frames, seen as a realisation of ideas, is a deeply patriarchal discourse. However, to dissect genealogically a straight line from socio-economical conditions of existence to the ideas and anthropocentric notions beyond, is an ambivalent task. Since it always implies the critique that causalities cannot be drawn without taking into account the contingency of historical events, or the sometimes unconsiderable or even untraceable circumstances, it is advisable to spend some words on the connection of historical and developmentalist “production”.

All current development theories are inextricably rooted in assumptions and experiences that Humans made in the past. It is staggering that development accounts are usually and primarily facing a possible future, whereas only past and present are grounds for considerations. Assumptions are based on ideas and, in the case of social reformers (whatever toolset of discipline they use for their arguments), on visions of society. Power relations are always only one, even though powerful, thread in the course of time. Nevertheless we have clearly to state that in the specific case of establishing a very particular and narrow form of capitalism in England personal interests and political/intellectual impact are strikingly often intertwined (cf. Clark, 1985: 45p.).

Hence, backtracking, or better depicting the cycle of *ideas-empirical fetters/reality-ideas* might just help to understand a given discourse or practice in the present. The aim is definitely neither an accusation or ideological dazzlement, but rather to render a certain chain of arguments (“an idea about ideas”) to further discussion, also implying an acknowledgment of the potential risk of misconception. Is it “wrong” to argue that capitalism led to the I. and II. World War? And that the experience of the cruelty during II. World War led to the adoption of Human Rights? No, on the contrary. It shows us, that it is only a question of which threads we (re-)assemble in the name of history to justify “development”. This is exactly the way how it was done for centuries, entailing all cruelty.

3.1 The Invention of the Imperative of Productivity

In Political Economy, but as well as in philosophy (and necessarily linked to the emergence of modern science), we can constantly find the notion of improving¹² humankind through various approaches of “breeding”. This kind of racism, trying to legitimate, in each case again different, an identified supremacy, is an inherent feature of modernity (Schelkshorn, 2009). In the writings of James Steuart (1712-1780), for example, we can repeatedly find idealistic descriptions of Lycurgus’ Sparta¹³ (Perelman, 1984: 76-100p.), but it was generally very common to admire the strenght of leaders, eugenic possibilites and social planning through, what is nowadays called, development. The ideal man of that time came close to what it means today: The entrepreneur.¹⁴ He is not only well educated, assertive and a leader by nature, but also the aim (“product”) of all efforts of society. Yet, opposed to the social and political status of the Spartan leader, the depiction became more and more clearly visible of the weak and poor as idling, self-indulgent and lazy obstacle to progress. The Spartan ideal was aspired by many thinkers, scholars, aristocrats and peers, so that we could assume a hypothesis stating that it was exactly this notion which became by time convincing enough to be formulated as justification for land property by John Locke.

For this approach to the raise of capitalism, I would like to contextualise the changing Poor Laws within the exciting and coherent theoretical framework that Ellen Meiskins Woods offered (2002). She argues that the emergence of capitalism, and meant is a specific form of it, namely the mandatory imperative to enhancing productivity, was mainly based on the theoretical arguments provided by Locke, who on his part was squire and slaveholder. Commonly used land (just to recall, the main source for the

¹²The English word “improve” is based on the old French for “into”, “en” and profit, “pros” or “preu”. Hereby is literally meant to do something for monetary profit, especially to cultivate land for profit (Woods, 2002: 106).

¹³The admiration for Spartian Human breeding, virtues, strenght and state politics is called “Lacnophilia”.

¹⁴Hereby referring to Josef Schumpeters “Theory of Economic Development” (1934 [1911]) and his distinction of the entrepreneurship in contrast to “the capitalist” and “the trader”: The entrepreneur is willing to transgress the boundaries, to take incredible risk, to transform the society, has visions and ideals.

poor in times of seasonal unemployment), according to Locke¹⁵, is *wasted* and only its usage for (explicitly monetary) profit can legitimate and justify its *exclusive* possession. He went even further by stating that this claim of property, the permanent cultivation of land using recent techniques of farming, would contribute to public common in an optimal way (ibid.: 95pp.). What better argument could be found!

In real terms, claims for property meant (coercive) and exclusive enclosure of land, which soon became legally entitled property. This account frames the ground for Woods' argument that capitalism originated first of all in agrarian and not in urban settings. Locke's justification enabled influential entrepreneurs to enclosure land, to employ less workers and to dispel the poor from common fields. The so "created" mass of unemployed paupers flew into towns and urban centres of parishes - to find relief under the umbrella of Poor Laws. "[...] traditional conceptions of poverty had to be replaced by new, capitalist conceptions of poverty - not only as 'private' but as *exclusive*." (ibid.: 108). Initially, it was the South of England which became the new types of land titles and thousands of people moved to London explaining the boom of population in the 18th century. The same chain of arguments was also employed to justify the restructuring of Ireland and which set masses of people free who eventually embarked in order to settle the world using exactly the same arguments again (in particular in North America, where the sheer abundance of land was seen as *waste*).

Of course, it was not only Locke who prepared the grounds for a "productive" claim of reality. There were more, and probably even more influential, thinkers who tended in the same direction: Jeremy Bentham's utilitarianism and disciplinary approach (known, i.e. from Foucault's *panopticon* discussion), Adam Smith's division of labour, John Stuart Mill, Thomas Malthus, and, in particular regarding the poor, Edmund Burke's liberal conservatism. It was the latter, to whom was given the dubious honour of having developed sequences of vituperate attacks on poor relief, because of his understanding of allowances as obstacle to productivity.

¹⁵In John Locke's "Second Treatise of Government" (1689), chapter 5.

3.2 New Light on the Shift of Poor Laws

Assuming Woods' theory would be right, it could, together with the depicted economical background¹⁶, help to enlighten the change of the Poor Laws in the 1830s. It might also help to contextualise more profoundly the role of the Poor Law Commission of 1832. The discussion of the Commission and its biases is subject of this chapter and altogether frames the core of my own hypothesis.

Although general living conditions had improved slightly since the extreme dearth of the 1790s, poor rates continued to rise. A total national assessment of around 5 million pounds in 1802-3 had risen to almost 8,6 million pounds by 1813 (cf. Brundage, 2002: 39, citing Digby, 1982: 9). Nevertheless it is still an open debate (cf. Brundage, 2002: 43p., who discussed several revisionist and also traditional arguments) to what extent exactly paid allowances contributed in regard to population growth (the more children, the more allowances were given). Two major works and also public (parliamentary) debates influenced the calls for reform: Joseph Townsend's dissertation 1786 "Dissertation on the Poor Laws" and the fifth edition of Malthus' "Essay on Population". This fifth edition moved him closer than ever before to an unequivocal abolitionist line: "The poor-laws tend in the most marked manner to make the supply of labour exceed the demand for it" (Poynter, 1969: 226). And: "Unless they were abolished, he concluded, the cancerous spread of pauperism would continue." (Brundage, 2002: 45).

No less a figure than David Ricardo put the moralistic tone of Malthus in more scholarly coloured terms. He proposed a simple policy choice between an overall equality on lower material level, which would be promoted by actual poor law at that time. "If economic growth and material abundance were sought, curtailment if not abolition or poor relief was the answer" (Brundage, 2002: 47). More and more people believed finally that economical, social and political breakdown could be traced back to a dysfunctional and corrupting poor law system (and bankers made a good job of it not to be blamed!).

¹⁶Not to forget the enormous influence upcoming Evangelicalism had on poor law reform. "Partly generated by the fear of social revolution, it not only enjoined close scrutiny of one's behaviour and character, but stressed the importance of close involvement in the lives of the poor." (Brundage, 2002: 37p.).

4 The Evaluative Commission

1817 a 40-men House of Commons Select Committee on the Poor Laws was appointed. Most important members were William Sturges-Bourne and Thomas Frankland Lewis. The first one was a key member of the Royal Commission on the Poor Laws of 1832-34, while Lewis became one of the Poor Law Commissioners who later administered the New Poor Law. This latter Commission was appointed by suggestion of Thomas Hyde Villiers, a friend of John Stuart Mill (cf. *ibid.*: 62). Important participants in the survey were, among other members, Sturges-Bourne, Walter Coulson (a former secretary of Bentham), Reverend Th. Whately (a famous “dispauperizer” of the parish of Cookham) and many other supposedly biased Gentlemen. The Royal Commission had, from the very beginning, to deal with scepticism and sometimes outright hostility from all classes (cf. *ibid.*: 64). Another outstanding, because having been the most talented surveyor, was the young Benthamite Edwin Chadwick.

In Summer 1832 the Commission began to distribute queries to all 15.500 parishes in England and Wales and surveyors deployed to assess the living conditions of the poor. Special attention was given to the rural areas, where assumptions on employment and relief can be traced back (cf. *ibid.*: 66). That also corroborates substantially Woods causal argument about capitalism, imperatives, enclosures, unemployment and therefore necessary relief. Around 10% of the queries were sent back and together with the responses and results according to biased questions, as Mark Blaug discovered (1963 and 1964¹⁷). Though, it was clear that the final report of the Commission had evidence enough to construct a damning 5000 pages report¹⁸. Contemporary foes criticised i.e. amply the design and misleading questions of the applied methods, i.e. the unclear usage of “allowances”, which could have been wage-top ups (a practice which almost vanished in the 1820s) or family allowances. But Senior and Chadwick made their place in history as the

¹⁷One has of course to consider the then-knowledge regarding various quantitative methods and leading questions, as Blaug rightly noted (1964). He was the first to reexamine the data which collected 1832-1833.

¹⁸Online available: Senior, Nassau (1934): [http://econlib.org/library/YPDBooks/Reports/rptPLC2.html#firstpage-bar\[18.12.09\]](http://econlib.org/library/YPDBooks/Reports/rptPLC2.html#firstpage-bar[18.12.09]).

masterminds behind drafting both the report as well as the consequential law bill. The superficially Humanitarian appearing content of the report, which distinguished strictly between able-bodied and “deserving poor”, can be summarised as follows: “Within the walls of these forbidding institutions [the workhouses, A. N.], strict discipline, hard work, a monotonous diet, and separation of family members would render conditions so undesirable that labourers would undertake any course of action short of starvation rather than submit. It was a classic Benthamite squaring of the circle: do not abolish the poor laws, for this would give starving workers an excuse for criminal acts. But with the properly designed building, scheme of classification, indoor regimen, and administration, a minimal poor law could be safely maintained while poor rates declined and work discipline and morality were strengthened.” (Brundage, 2002: 66). Interestingly enough, soon after Poor Law Act had passed in 1834, outlines for efficient workhouses already appeared in circles close to Chadwick.

The old question of vagrancy, reoccurring since Tudor times, was no subject of the Commission’s report, whereas the influence of thinkers and members of Commission is clearly traceable: Nassau Senior was in direct correspondence with Malthus (“Two Lectures on Population”, 1928). There, Nassau Senior is not only repeating the geographical argument of population (and economical) growth as well as invoking a superior civilisation, but he also argues that, in truth, deficiency is the “apprehension of deficiency” (p. 2). Might we conceive this account as an anticipation of the later theme of “dealing with the risk” in economics? In other words, do we already here come across plain fear of loss of sinecures (or “luxuries” as it is consistently repeated throughout the text) as driving force for disciplinary action towards the poor?

4.1 The 1834 Poor Law Amendment Act

This law shifted the principal attitudes of poor laws since 1600, based on three main principles: Malthus’ prediction that population increased faster

then available resources to feed them, Ricardo's "iron law of wages"¹⁹ and the Benthamite account of people tending generally to pleasure, ergo rather claiming relief instead of working. Thus, it is not astonishing that we find exactly the same rhetorical narratives even today, when justifications for worsening labour conditions are sought. A worsening and deterrent; that was the idea behind the novel workhouses, so that only the most needy would enter to undergo the "workhouse test" (relief was only available inside the houses). However, the original plans were watered down when the Act passed and "deterrence" was never literally mentioned. Also common used outdoor relief was never really suspended, though stigmatisation of claiming relief became widespread. Can we argue that at this point of history poverty conceived as disgrace entered the stage? It is also striking that pretextual arguments of preventing poverty were prominent in claims for police force as we know it (Mitchell, 1991: 193).

Labour was now understood as the only means to contribute to the wealth of society, through being engaged in civil society as well as consuming all advantages of communal work. All previously common fields, all social models of direct engagement were damned as waste and eventually gradually replaced by the detour of productivity cycles. What had not been foreseen in that times were the following years of problems, as well as uprising and resistance against the top-down implementation of a very narrow concept of society.²⁰

5 Conclusion/"retrospective Outlook"

In the context of our seminar "History and Development", we discussed several threads or themes of development which steadily reoccur in reflecting development theory. Many of them were made explicit as normative prefer-

¹⁹This alleged "law" asserts that real wages, on the long run, tend toward the minimum wage necessary to sustain the life of a worker. Ricardo also noticed, that this prediction would not come true as long as new investment (or similar factors) causes higher labour demand than population increases.

²⁰I.e. Charles Dickens' famous *Oliver Twist* (1838) was written as retaliation against the New Poor Law.

ences or recommendations, at least in classical works of modernisation theory from the first half of 20th century. Others, rather implicit assumptions through what has not been said, state(d) eligible designs of societies until today in disguised ways of depicting history. According to the papers/topics chosen we read/discussed together, the following but non-exhaustive list of themes can be identified (following sources are understood as vivid examples):

- The making or unmaking of a society (Escobar, 1995).
- Self-subsistence, independence and coercive adaptation of wage labour instead.
- The definition and measurement of “poverty” (Cullather, 2007, is a good example with regard to malnutrition).
- Modern bureaucrats and the dialectically connected topic of “entrepreneurship” (Cooper, 1997 as well as Birla, 2009).
- Population control (Connelly, 2008).
- Eugenics, racism and supremacy.
- Backwardness, property entitlement, land reform, increasing productivity (Gerschenkron, 1992; Rostow, 1959).

Even if my narration of all events with respect to the “story” of poor laws in England is not fully encompassing (many details, or at least what I deemed them to be, have been left out), the purpose of the paper can now be completed.

The aim was to demonstrate at a very ostensive historical event to which extent ideas of designing societies and realities are connected. As we can easily recognise, most of the threads we are used to discuss do actually have a long previous history. It might also well be conceivable that absolutely noble accounts in political discussions are defended by arguments which, in fact, originate from the counterpart’s perspective. Therefore, attention

to the past! My hypothesis is, that English Poor Laws, due to their nature of serving as role model for later accounts on poverty in and through colonialism, are still nowadays the same role models for fighting exactly the problems, which their linked discourses once triggered. A good example is the modern fetish of statistical measuring, scaling, benchmarking based on very private insights of life realities and expectations. We have to be aware what the original intention had been, when those methods became applied *en masse*. One could of course argue that the same poor laws also lead to modern social welfare states, at least in some regions of the planet. But don't let yourself be fooled: After the pure force of rather abrupt introduction of capitalism, again in a very narrow version, upon most societies, poor laws show us that there are powerful imperatives we still have to fight. By shifting the depiction of upcoming capitalism away from a teleological disenfranchisement towards a rather narrowed down account of postmercantilist and physiocratist claim to eternal growth and increasing productivity, it became visible that the short, cruel, however booming time between 1780 and 1850 stills hides valuable insights for understanding our presence.

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