

Agrarian Capitalism
and Poor Relief
in England, 1500–1860



Rethinking the Origins
of the Welfare State

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1

Introduction: The Extraordinary Case of a ‘Law to Force Charity’

Whether you can observe a thing or not depends on the theory which you use.

Albert Einstein

We have to fracture old categories and to make new ones before we can ‘explain’ the evidence that has always been there.

E.P. Thompson

The proletariat is only beginning to form itself in Germany, as a result of the industrial movement. For what constitutes the proletariat is not *naturally existing* poverty, but poverty *artificially produced*, is not the mass of people mechanically oppressed by the weight of society, but the mass resulting from the *disintegration* of society.¹

Karl Marx

English poor relief dates from the sixteenth century. It was organized by the state and was funded through obligatory taxation. Benefits, typically in the form of money, were provided to those who could demonstrate sufficient financial need. Recipients of support lived, for the most part, not in workhouses but in their own homes. It is my contention that this method of delivering assistance to the poor was an anomaly; it had no equivalent in Europe until after c. 1840. In a pamphlet published more than 250 years ago, Thomas Alcock (1752, p. 21) highlighted the exceptional nature of the English case:

No nation, if we except the Jews, who had something of this kind in later times, ever allowed of a law to force charity. A strong argument this, that no such law ought to be allowed. For if the law had

been right, and requisite, and necessary, many states and nations would long ago, no doubt, have adopted it. May not it seem very extraordinary then, that England should be the only nation that should ever have come into such a law? Are there not poor in other countries, as well as in this?

The objective of this book is to address an old question: Why was England's system of poor relief unique, or why, in the words of Alcock, did the English alone have 'a law to force charity'?

There are, in general, two approaches to placing English poor relief in a comparative context. One of these approaches is to argue that, in the early modern era, England was basically similar to other nations in the treatment of its poor. This was most evident in the disapproval by governments of 'idleness'; the use of disciplining codes to control labourers; the regulation of begging; the struggle against the effects of plague, dearth and famine; and the construction of hospitals, orphanages and prisons (Geremek, 1994; Jütte, 1994; Mitchison, 1991). All nations had to confront the problems associated with birth, abandonment, sickness, ageing and death. It is this apparent uniformity that has been underscored in the literature. For example, Marco van Leeuwen (1994, p. 591) came to the conclusion that many studies 'have demonstrated the manifold similarities in the functioning of poor relief in preindustrial Europe'. Peter Lindert (1998, pp. 102–3) has suggested that 'England stood out as the nation with the largest commitment to poor relief in the classic poor law era from 1795 to 1834, but did not stand out among European countries before 1795 or after 1834'. Joanna Innes (1999a, pp. 233–4) has claimed, particularly with reference to the eighteenth century, that the 'range of efforts directed towards the poor in England did not differ greatly from that to be found elsewhere in Europe. What was different was the balance between the parts' (the parts being public, semi-public and private). Similarly, while commenting on Paul Slack's *From Reformation to Improvement* (1999), Steve Hindle (2002, p. 189) wrote:

The precocity of English public welfare provision should not, however, lead us to believe that the English case was exceptional. Indeed, Slack's seven sparkling thematic essays on the discourses and practices associated with the commonwealth cumulatively reveal that the complex mixture of initiatives – central and local, public and private – that characterized English 'civil society' was entirely typical

of the amalgam of voluntary and 'statist' activity that, to a greater or lesser extent, characterized all the polities of the continent.

The second approach is to suggest that poor relief in England was different from its counterparts on the Continent but so marginally different as to scarcely require explanation. Joanna Innes (1999a, pp. 241–2), for one, has attributed the unique provision of substantial cash doles to the poor to the fact that the English economy 'was more highly monetized than elsewhere', and that these disbursements may 'have been one of the few forms of recourse open to England's poor'. In an attempt to explain this unparalleled feature of social life, she concluded that it 'is hard to believe that the distinctive English relief system can be explained *entirely* as a response to the distinctive neediness of the English poor' (Innes, 1999a, p. 241). Instead, she attributed relief to the 'formidably precocious' English state, which was able 'to summon into being reasonably effective systems of public provision in rural as well as in urban areas' (Innes, 1998, pp. 24, 27). Despite the provocative titles of two recent articles, Innes (2002, p. 382) has 'not attempt[ed] to account for England's initially distinctive course'. Rather, she has focused on 'a variety of instances in which policy-making in the different nations was affected by the circulation of ideas between nations' (Innes, 1999b, p. 188).

In contrast, I submit that after c. 1540 England began, in important ways, to radically diverge from the Continent in its provisions for the relief of poverty.² This divergence has been noted by some authors, but it has not been adequately emphasized or explained. The existing approaches that attempt to understand the origins of English poor relief are problematic because they are typically rooted in ambiguous concepts like 'mercantilism', 'commercial society' and 'modernity'. These concepts do not provide an informative context for analysing relief, because they do not confront in a precise manner the social relationship of exploitation. I propose, in turn, that the socioeconomic framework within which poor relief must be placed is *capitalism*, a qualitatively different system of surplus appropriation that originated in the changing class relations of English agriculture. Capitalism – its genealogy and its nature – is passed over in most surveys of 'early modern' England. Furthermore, in making my case, I will argue against the standard claim that capitalism is a 'type of economy and society which, in its developed form, emerged from the Industrial Revolution of the eighteenth century in Western Europe' (Bottomore, 1993, p. 60). Instead, I maintain that capitalism, at its birth, was English, not 'European'.

The absence of any commentary on capitalism is only the first problem. I suggest as well that most writers in this field do not address another key issue, specifically the role of the state. The state is an institution that has been involved, in myriad ways, in the exploitation of labour. Too many historical analyses pay scant attention to the fact that in class societies, one segment of the population produces a surplus that is systematically confiscated by those with superior social control over the means of production. The physical organization of this process takes a number of forms, especially in precapitalist societies. Hence, it is important in considering the basis of assistance to the poor to differentiate the various methods of exploitation and the various types of states that have existed throughout history.

In sum, the perspectives I am critiquing are hampered in any attempt to explain the uniqueness of English poor relief because they do not effectively focus on two questions that are essential for an adequate analysis: What, specifically, is the mode of exploitation – the way in which surplus is pumped out of the direct producers? And how is the state implicated in this exploitation (Comninel, 1987, pp. 166–74)? Placing social welfare ‘in context’ *means* answering these questions, and this has the potential to add significantly to an interpretation of the rise of public support for the poor.

This book examines the origins and evolution of English poor relief. It will cover the centuries from the earliest social changes that resulted in agrarian capitalism down to the ‘Industrial Revolution’. I will not address the period after 1860 except for a quick survey to close out the historical narrative, as well as the odd reference to the similarities between the older forms of ‘poor relief’ and twentieth and twenty-first century conceptions of ‘welfare’. The post-1860 years have been studied to great effect, yet scholars tend to gloss over the important transformations that occurred before the new poor law (1834). In contrast, I regard the 300 years of English history before c. 1830 as critical to understanding ‘welfare’ and to comprehending the extension of social policy throughout western Europe in the late nineteenth and early twentieth centuries.

My argument is that the unique character of the exploitative social relations under capitalism must be grasped in order to discern what was different about assistance to the poor in England. The English way of dealing with poverty was distinctive and this distinctiveness was rooted in the unparalleled expansion of capitalism in that country. A socioeconomic transition, indigenous to England, provided an opportunity for the state to intervene in the creation of an exceptional set of class

relations. English poor relief was the first permanent welfare state (as we recognize it today), having developed within the confines of what would become the first capitalist society. It was an important labour adjustment programme which eased the harsher aspects of the centuries-long transition to capitalism, a response to the fact that most people, over the course of three or four hundred years, were losing access to land and common rights and were becoming 'free' labourers. Assistance to the poor in England emerged alongside a qualitative social change, from an economy rooted in custom to one grounded in competition. My main conclusion is that the welfare state was not a product of 'industrialization' but of the class structure of agrarian capitalism.

Chapter 2 will serve as the theoretical basis for the rest of the book. I will briefly sketch out a view of historical materialism that is centred around 'modes of exploitation', surplus production, the unique nature of the capitalist state, the crucial distinctions between precapitalist and capitalist societies, and the transition from the former to the latter. I go on in Chapter 3 to provide a review of class relations in England from roughly 1300 to 1860, concentrating on the development of agrarian capitalism, ending with a comparison of the English and French states in the early modern period. In Chapters 4 and 5, I narrow the focus on to the evolution of poor relief and the methods that were used to treat individuals who were in need. Emphasis will be given to the emergence of the old poor law in the second half of the sixteenth century, the appearance of the Speenhamland system of allowances around 1795, and the passage and implementation of the new poor law in 1834. These two chapters also contain an outline of my interpretation of the meaning of 'relief'. In Chapter 6, I provide a tentative suggestion as to why public poor relief on a scale similar to England's did not exist simultaneously in Scotland, Ireland, France and Germany. I conclude in Chapter 7 by drawing out a new understanding of the origins of the welfare state.³

The main objective of this work is to construct an intellectually satisfying explanation of English poor relief. This requires that we theorize both *capitalism* and *the state*. A crucial corollary to this objective will be to challenge the standard version of the origins of the welfare state, which has 'been traced back to the creation of state-provided "social services" in the aftermath of nineteenth-century industrialization' (Briggs, 1993, p. 708). An almost universally accepted description of the 'phases of welfare state development in western Europe' begins with a 'prehistory' (1600–1880); then moves to a 'takeoff' (1880–1914); an 'expansion' (1918–1960); an 'acceleration' (1960–1975); ending with a 'slowdown'

(after 1975) (Alber, 1988, p. 454). The driving force behind the existence of welfare is said to include a number of factors, the importance of which may vary from one country to the next. Foremost among these factors are modernization, industrialization, urbanization, the development of trade unions, the creation of working-class political parties and the influence of democracy.

I will propose a different chronology – at least for the ‘prehistory’ stage – and an alternative rationale for the existence of what we generally understand as the ‘welfare state’, an institution that intervenes ‘deliberately to limit or to modify the consequences of the free operation of market forces’ in order to assist those ‘confronted with social contingencies deemed to be largely beyond their control, notably unemployment, sickness and old age’ (Briggs, 1993, p. 708).⁴ Flora and Alber (1981, p. 48) suggest that the ‘prehistory’ of the welfare state can be divided into ‘the “Poor Law” period from the sixteenth to the eighteenth and nineteenth centuries and the “Liberal Break” of the nineteenth century’. For them, ‘the old European welfare states developed very similarly during the poor law period’, but ‘the liberal break produced many divergences’.⁵ I will attempt, in the following chapters, to overturn this standard interpretation. The ‘prehistory’ phase in this model fails to recognize how very different English social policy was from the rest of the Continent in the early modern era. And it does not even begin to explain why, for almost 300 years, England was the only country in Europe to have a government-run system of assistance to the poor.

Another objective of this book is to construct a Marxist account of English poor relief. Given that liberalism and, to a lesser extent, post-modernism are the dominant forms of social thought these days, it may seem strange to use Marxist theory to shed light on any phenomenon, especially when the topic at hand is the emergence and development of ‘welfare’ in the course of a protracted transition to capitalism in England – surely a ‘grand narrative’ if there ever was one. Many of the twentieth century’s most prominent historians were convinced that in the post-Communist ‘new world order’, historical materialism had perished and so had nothing of value to say about human relations, past or present. Lawrence Stone (1994, p. 1), for one, approvingly noted that ‘the collapse of Marxism as a viable political and economic system has inevitably discredited it as an explanatory model for understanding history’. Meanwhile, J.H. Hexter (1993, pp. 265–6) suggested that the years from 1914 to 1989 showed clearly that the Marxist ‘view of the nature and destiny of man [was] so palpably flawed at its foundations’ that to future generations, the proponents of this dogma ‘may seem

either mysterious or utterly ludicrous'. Marxists will have a hard time swallowing such assessments, Hexter concluded, since the readiness 'to write off the value of a life's work does not come easy'. Some recent surveys of English poor relief also see little that is useful in a class analysis. For instance, Lynn Hollen Lees (1998, p. 351) concluded her work by arguing that 'long-run changes cannot be circumscribed within a story organized around the concept of class interest'. Social theorists are prepared to dismiss historical materialism as well. John Hall and G. John Ikenberry (1989, p. 7), for example, contend that Marxists run into problems, 'especially when they seek to explain the modern welfare state – the mere existence of which seemingly contradicts Marxism'. Michael Harloe (1997, p. 31) agreed, observing that 'the Marxist account of the class-based nature of social policy is impossibly simplistic and historically inaccurate'.

In contrast, 'bringing back' class, state (and exploitation) is a necessary prerequisite to an analysis of the nature and purpose of England's social policy in the period from the early sixteenth to the mid-nineteenth centuries. We need to focus on the essential features of the capital/labour social relation and the *raison d'être* of the capitalist state if we are to pinpoint the precise role of poor relief in English society. This objective can be guided by the 'class struggle' version of historical materialism which has been used productively by many writers since the time of Marx. In this framework, the emphasis is placed on class structures, state formation, exploitation, surplus appropriation and the specificity of capitalism. This version of historical materialism does not belong in a theoretical dustbin. It has employed a methodology that has been responsible for significant contributions to our knowledge, most notably in the output of the British Marxist historians. I would be pleased if in some small way my work added to this tradition while providing support for the view that a Marxist analysis is still valuable, because it enables us to see aspects of social life that are systematically concealed behind the tremendous blind spots of most 'liberal' historiography.

I hope in attempting to meet my objectives that this book will serve as a source of debate, not only for specialists on English poor relief, but also for those who have an interest in British history, Marxism, social welfare, historiography, theories of the state, and the transition to capitalism.

2

Capitalist and Precapitalist Societies

What is capitalism? The failure to address this deceptively simple question, perhaps more than anything, has been responsible for generating a number of flawed interpretations of English poor relief. I suggest that most historians of social welfare have an inadequate conception of capitalism which leads them to ignore some of the crucial distinctions between this economic form and previous, peasant-based societies. Capitalism is generally absent in narratives of the transition from 'past to present', replaced by expressions such as 'modernity' or 'industrialization' (E. Wood, 1991, 1994). Capitalism, as a social system, tends to go unexplored, while exploitation, which permeates stratified communities, barely receives comment. A few writers, notably Karl Polanyi, have focused their attention on capitalism, yet there are problems with these approaches as well. Given my argument that one must come to terms with capitalism in order to comprehend the history of support to the English poor, it is necessary, then, to draw out the main features of this mode of production.

In most studies of poor relief, a lack of specificity in defining capitalism is often accompanied by little or no discussion of the role of the state, an organization that intervenes in and reproduces class relations. One would think that an interpretation of this unique type of government assistance could not advance far without at least a basic state theory being outlined. However, scholars have generally failed to draw out the characteristics of the English state and the link between this state and the development of capitalism. They have been especially inattentive to the state's participation in surplus appropriation. The consequence of this neglect is that critical points are sometimes overlooked in favour of a narrative of 'the facts'. This 'atheoretical' approach does not make explicit to the reader the reasons for asking

certain questions nor does it articulate the benefits of the particular method of inquiry that has been used. The main purpose of this chapter is to try to redress these two shortcomings in the literature, hence an extended analysis of the origins and nature of both capitalism and the state will be provided. The most important perspectives that have been used to explain the transition from 'feudalism' to capitalism will then be critiqued. Finally, the writings of Robert Brenner will be surveyed. His work addressed the question of the development of capitalism, not in urban industry in western Europe as a whole but rather in the competitive social relations between tenant-farmers in rural England. I would like to begin, though, with a brief elaboration of the version of historical materialism that is the overarching theoretical perspective of this book.

Modes of exploitation

The main objective of historical materialism (the Marxist interpretation of history) is to make sense of the underlying causes that govern large-scale movements from one mode of production to another, in particular the development of capitalism out of medieval society, as well as important alterations within modes, especially the recent emergence of globalization. The basic premise of historical materialism, and what separates it fundamentally from liberal views, is that one cannot understand such transformations without putting issues of property ownership and class conflict at the centre of any explanation.

Karl Marx and Frederick Engels (1955, p. 9) pointed out that, despite immense variety, class societies all have in common a fundamental conflict between 'oppressor and oppressed' who everywhere have 'stood in constant opposition to one another [and] carried on an uninterrupted, now hidden, now open fight'. Marx (1981, p. 958) suggested elsewhere that the basis for this class struggle was the fact that the dominant group 'pumps out a certain specific quantum of surplus labour' from the direct producers, an amount that is appropriated without remuneration. He argued further that the key to differentiating societies was to analyse the way in which 'surplus-labour is in each case extracted from the actual producer, the labourer' (Marx, 1967, p. 209). In sum:

The specific economic form in which unpaid surplus labour is pumped out of the direct producers determines the relationship of

domination and servitude, as this grows directly out of production itself and reacts back on it in turn as a determinant. On this is based the entire configuration of the economic community arising from the actual relations of production, and hence also its specific political form. It is in each case the direct relationship of the owners of the conditions of production to the immediate producers...in which we find the innermost secret, the hidden basis of the entire social edifice, and hence also the political form of the relationship of sovereignty and dependence, in short, the specific form of state in each case.

(Marx, 1981, p. 927)

A useful method for analysing societies can be built on this telling insight. Marx placed an emphasis on the exploitative social relations that separate major epochs (or modes of production). He focused on the specificity of such relations, especially those in capitalist society. He was not explicitly concerned with other social oppressions, having to do with gender, race, ethnicity and so forth, nor did he argue that every event of consequence in human history had class struggle at its root. Rather, the 'privilege' he assigned to class as an analytical variable was due to the fact that fundamental economic changes are the culmination of incessant conflicts between classes, and not other social actors.

Drawing on Marx's work, George Comninel (1987, pp. 166–74) has warned against the danger of imposing preconceived schemata on widely varying societies. His historical method abandons abstract 'ideal-type' models and substitutes instead a series of theoretically grounded questions. Comninel, taking the advice from Marx quoted above, asks us to draw out the method of exploitation, the relationship of oppressor and oppressed. The features of this surplus appropriation can be determined only through empirical research and, in important ways, differ depending on time and place. It is necessary as well to observe the effects of competition within ruling classes – the struggle over the right to become an exploiter – that accounts for much of human history. In addition, one must expose how the state, how organized political power, is involved in this exploitation. And it is important to keep in mind in such analyses that class/property relations are not transformed instantly in a rapid 'transition', but change slowly over time.

This method requires that we dispense with the stereotypical modes of production, especially those that form the familiar 'ladder of history':

primitive communism, slavery, feudalism, capitalism and socialism. Comninel suggests a more precise term to use would be 'mode of exploitation'. We can then concentrate on the task at hand – discovering who is doing the exploiting and how they are doing it. This means delving into the heart of class relations to focus on the rights each class claims it has and the nature of the authority system that protects the privileges of elites. It is necessary to formulate with *precision* what can and cannot be done by both oppressors in their role as exploiters, and the oppressed in their activities of resistance.

This 'class struggle' version of historical materialism demands that we go beyond the tendency of mainstream sociology whereby class is equated with innocuous and apparently autonomous categories like income groups ('upper', 'middle' and 'lower' class) or occupations (professionals, technicians, state employees, factory operatives and so on). Liberals and Weberians see classes as groups of people who share roughly similar living conditions, consumption patterns, prestige and possibilities for advancement up the social ladder, based on income, education, skills and, to some degree, ownership of property. Class is perceived as more of a gradation or a hierarchical pyramid, with the wealthiest people at the peak (though the theory provides no coherent explanation of how the rich managed to reach the top). Distinctions are based on one's ability to compete in 'the market'. Some people are deemed to be 'more fortunate' than others, but this fortune is said to be gained as the result of the hard work and effort of individuals, and not by exploiting other human beings. In this definition, power, privilege, compulsion, the transfer of a surplus (and even capitalists) tend to disappear. Exploitation in the process of production goes missing or, if it is present, it is not considered to be central to an understanding of class, displaced by a focus on the division of labour and one's 'chances in the market'.

The problems of the liberal/Weberian approach are especially glaring in historical analyses. This perspective recognizes that struggles have occurred in the past over the question of property relations, and that social change has occasionally been pushed along by 'class' antagonisms. What is at stake, however, is not control of the means of production. The implicit assumption is that class struggles throughout history have had 'no apparent basis in exploitation' (Comninel, 1987, p. 152).

In the liberal historical conception, class was primarily a function of social rank, privilege, political position, and means of securing a

living: active, idle, or 'passive'. Classes were *not* defined in terms of fundamental relations of exploitation, needless to say. Class struggle was a clash of interests, but in the form of one class holding back another; not a confrontation between the producers and appropriators of social surplus.... Even in [the] popular ideology [of the French Revolution], the opposition of two fundamental classes was in essence political: the 'aristocracy' *oppressed* the people, but it did not directly *exploit* them.

(Comninel, 1987, p. 117)

In contrast, a Marxist perspective appreciates that different classes always exist in *relation* to each other, with the dominant one pumping surplus labour out of the subordinate one. This is not to suggest, though, that there are only two classes. The actions of many groups may be significant in the class relations of any given society: capitalists (landed, financial, industrial and commercial), small business owners, managers, state officials, wage-workers (in agriculture, industry and services), aristocrats, peasants, slaves, artisans, homemakers and the unemployed. We have to be careful to not develop any simple exploiter/exploited model. Class relations are usually more complicated than this as we shall see below when we consider England's triad of landlord/capitalist-tenant/wage-labourer.

The use of the method outlined above should not imply as well that there is only one form of exploitation in a society or that there is such a thing as a 'pure' mode of production. The concept 'mode of exploitation' can easily incorporate the idea of the prevalence of different and even conflicting relations of surplus appropriation within a 'social formation'. Indeed, it will be my objective in Chapter 3 to demonstrate the coexistence and transformation in England of various ways of procuring a surplus. This will not, however, be discussed as an abstract, disembodied process involving the 'articulation of modes of production'. Rather, drawing on the research of a number of historians, I will highlight the opposition between customary law, open field farming and common rights, on the one hand, and the very different way of organizing production that emerged with capitalism. It will be my point that capitalism developed *within* non-capitalist social relations in England, eventually destroying a way of life that was organized around custom, and that this triumph of one 'mode of exploitation' over another was a slow process, occurring over the course of a few hundred years. This approach will guide the discussion as it unfolds from a theoretical interpretation of

capitalism and the state to the peculiarities of the English case. It will prove especially helpful in focusing on the unique features of England's class structure and in accounting for the character of its system of poor relief.

Precapitalist societies

In an attempt to understand any particular society, it is essential to discern the method used in securing proprietorship of the surplus wealth that has been produced. It may be helpful, then, in trying to understand the specificities of capitalism, to briefly analyse non-capitalist civilizations in order to establish the different relationships that have existed between the state and exploitation. Most anthropologists have argued that states appear only where 'stratification' has taken root. States form no part of societies that are 'egalitarian' or 'rank' (Fried, 1967). This three-fold distinction is suitable for our purposes, since it enables us to distinguish the broad outlines of precapitalist societies.

Egalitarian economies have no noticeable division of wealth; private property does not exist here. There is widespread sharing, especially of food, and no one is excluded from access to property. Various social mechanisms are in place, especially forms of communal decision-making, to ensure the reproduction of this system, hence there is little room for dominance by a few individuals. These are generally 'simple' economies, basically of a hunter/gatherer type where permanent settlements and the cultivation of food are virtually unknown. Rank societies are ones where some people, such as religious figures, have greater status than others, but this status does not automatically entitle such persons to privileged access to the society's resources. Rank begins to occur where groups of people have started to grow their own food or where they have a regular source of nourishment, like fish. Status in this context, in contrast to say capitalist society, is usually associated with hard work and the giving away of surplus goods, often as part of a celebration.

Egalitarian and rank economies are fairly similar. Stratified societies are radically different. This is the point at which social classes have emerged along with their defining feature – exploitation. Now, one faction controls most of the available resources while the members outside this dominant group must give up a part of their labour in order to obtain access to the means of production (usually land). Conflict is systemic in such societies, hence an entity that is permanently involved

in social control must be established. This is the state, a series of institutions that use physical force and some form of ideology to subjugate peasants and slaves in order to reproduce exploitation on a continual basis. Stratification and political power appear on the historical scene simultaneously. 'Societies that are stratified but lack state institutions are not known to the ethnographer' (Fried, 1967, p. 224). There are no written records of any collectivity evolving from rank to stratification in a pristine fashion (that is, without external interference), so I will not get into the difficult question of how is it that societies can move from equality to inequality. It is enough to acknowledge this transition as a historical fact and to simply note that the passage from egalitarian to rank and from rank to stratification probably went unnoticed within the societies where this occurred, because the process would have unfolded over the course of hundreds or even thousands of years. The historical picture, then, confirms Engels' (1972, pp. 229, 231) contention that the appearance of the state is an admission that 'society has involved itself in insoluble self-contradiction'. The state is 'an organization for the protection of the possessing class against the non-possessing class'.

States in stratified societies have two roles, a generic one and a class-based one. Within the borders of any particular nation or community, the legal system, whether written or unwritten, serves as a codification of these roles. The law rules out general moral transgressions such as murder, assault and so on, while also demarcating the 'rules of exploitation' that regulate the currently existing and historically specific social relations of production. The class or 'political' element of power is the ability to maintain people in a surplus-extractive relation. The generic element of the state comprises administrative actions that are, for the most part, non-coercive. Marx (1981, p. 508) pointed to this dichotomy when he noted that even in despotic states there is 'the performance of those common tasks that arise from the nature of all communities, and the specific functions that arise from the opposition between the government and the mass of the people'.

Historically, the state's content, or its unchanging core, has been its involvement in the 'pumping out' of surplus labour. Marx suggested that researchers address the question of the political *form* of this appropriation. In other words, what are the critical differences between one type of exploitation and another? The state, then, is an organization that represents particular or 'political' interests, yet it does this in extremely varied ways. In precapitalist societies that are stratified, there is divergence in terms of the levels of technology, culture, ideology, status systems, types of extraction (money, services and in-kind) and so forth.

However, what these societies have in common is the fact that their states serve as a revenue generator for ruling classes who exploit peasants (and occasionally slaves). Peasants have usually been subordinated, with the focal point of their struggles being the maintenance of rights to use land and appropriate the produce they have grown. A surplus is forced out of a more or less unfree peasantry and is characteristically paid to a ruling class partly in the form of taxes that go to a 'centralized' body, the state, and partly in rent and/or labour services collected by individual landlords.

Classical Athens may be an exception to the rule that producers in precapitalist societies have been subjected against their will to unreasonable taxes and rents. Wood and Wood (1978) have argued that peasants and artisans in Athens were also citizens, and they used the rights and privileges that were the basis of their citizenship, along with their ownership of means of production, to place strict limits on surplus appropriation. The Athenian polis was unique throughout the history of precapitalist class societies, because many members of the 'lower orders' were also part of a community of free citizens. Hence, the polis constituted 'a milestone in the relations between appropriators and producers' (Wood and Wood, 1978, p. 27) because the democracy 'limited opportunities for concentrating property and afforded legal protections to small producers against certain forms of dependence' (Wood, 1988, p. 56). In other parts of the Mediterranean world, the state 'was in effect the appropriating "class", the direct master of a huge dependent labour force, with the apparatus of the public power directly engaged in the process of surplus-extraction' (Wood and Wood, 1978, p. 30). In contrast, Athens witnessed a new kind of state, after Solon's reforms (594 BC) allowed the poorest individuals to obtain both 'economic' independence, as a result of reduced taxes and rents on land, *and* greater political and judicial powers. Gaining significant control of the state was important, because it was this control that was essential in precapitalist societies in order to exploit labour (or, in this instance, to circumscribe exploitation). Classical Athens may be the only case in history of a stratified society where pervasive ownership of property has gone hand in hand with a democratic form of government, giving many ordinary people command over vast areas of their lives, areas which we do not control today under 'liberal democracy'. The Athenian polis greatly benefited free labourers (but not, of course, slaves), and contributed in essential ways to the importance of this area of the world in the history of social and political thought.

In sum, in precapitalist class societies, aside from Athens, the state was directly involved in appropriation, and peasants subsisted as dependent labourers. The state's role in support of surplus appropriation, however, changed dramatically with the emergence and development of capitalism.

Capitalism

What distinguishes capitalism from all previous economic systems? It is sufficient to briefly highlight a number of unique features of this mode of production. One, it is grounded in the buying and selling of labour-power. Two, it involves a competitive imperative which results in a constant economic rivalry that is rooted in productivity and heightened accumulation. And three, it creates a historically unprecedented division of labour as part of a production process that must respond to the coercive laws of the market.

Marx suggested in a number of places that 'capital(ism) is a social relation'. This comment is somewhat puzzling at first sight. Buildings, tools, furniture, money and so on, are obviously things, but Marx wanted to go beyond this basic characteristic to emphasize that things do not exist in a vacuum but rather in a world of specific class relations. In defining capitalism, then, a focus has to be placed not upon mere objects, such as machines and technical gadgets, but on how the social environment results in a peculiar *use* of those objects. At one point in *Capital*, Marx recounted the story of an Englishman who took 3000 immigrants along with the means of production to Australia in the hope of setting up a capitalist society and, in the process, making a great profit for himself. Once there, however, the Englishman was abandoned by his 'employees' because they were able to lead independent lives, surviving on their own in a country that had an abundance of unoccupied land. The experience of this gentleman contained an important lesson, namely that the ability to 'hire' individuals depends on the existence of men and women who find themselves trapped in a series of socio-legal relations which *require* that they sell their labour-power. The Englishman

discovered that in the Colonies, property in money, means of subsistence, machines, and other means of production, does not as yet stamp a man as a capitalist if there be wanting the correlative – the wage-worker, the other man who is compelled to sell himself of his own free-will. He discovered that capital is not a thing, but a social relation between persons....

(Marx, 1967, p. 717)

The ability to buy and sell labour-power, then, is one of the basic characteristics of capitalist society. These kinds of transactions can be conducted only after workers have become 'free in a double sense'. First, labourers must be juridically free agents who can choose to enter, or refuse to enter, a contract with any particular capitalist in the act of selling their labour-power. This commodity must always be sold for a limited period of time, because if it is transferred to someone once and for all, the labourer would become a slave with a master and would no longer be a free individual. The system of buying and selling labour-power would cease at this point. Second, labourers must be 'free' of any means of production, the tools and raw materials that are necessary to produce commodities. In capitalism, these tend to be held privately by a relatively small percentage of the society's members. The upshot is that in order to live, most people, the non-owners, must sell the only remaining commodity they possess – their labour-power, their skills and abilities. These do not have to be sold to any particular capitalist, but they must be sold to at least one member of the capitalist class if workers want to feed, clothe and house themselves. Capitalism 'can spring into life only when the owner of the means of production and subsistence meets in the market with the free labourer selling his labour-power. And this one historical condition comprises a world's history' (Marx, 1967, p. 167).

Human labour-power is purchased by capitalists, the owners of private property, in order to produce goods and services at a profit. Workers under capitalism create more value in the course of a day than is necessary to cover their wages. They receive what they require to physically and socially reproduce themselves, while the capitalist, and not the employee, keeps the surplus that has been created. This is a relationship of *privatized* exploitation. It does not necessarily involve degrading conditions of work or the payment of mostly poverty-line wages, but simply refers to the fact that one class, the capitalists, take without remuneration the surplus produced by another class, the workers, while the state stands to one side, having adopted the role of an 'overseer'.

A second feature of capitalism, unique to any mode of production, is the obligation of the owners of firms to compete against each other. This imperative to drive others out of business means that the behaviour of social actors now takes place within a context of limited choices. One could even argue that it is an absence of choice that forms the basis of this intra-ruling class struggle, because once established, 'competition brings out the inherent laws of capitalist production, in the shape of external coercive laws having power over every individual capitalist'

(Marx, 1967, p. 257). Profits have to be generated through increases in productivity. This is accomplished by producing the same amount of goods with fewer labourers, by producing more goods with the same number of labourers, or by a greater intensity in the production of each labourer – that is, more goods produced per person in the same amount of time. This happens as a result of alterations in the labour process, usually the introduction of new machinery, or changes in its social organization, such as assembly lines. The intense competition between capitalists to gain a share of the market means that the quest for advances in productivity never ends.

Competition also brings an increased use of machines and technology into the labour process. The upshot is that, over time, the demand for workers in any sector or industry is reduced resulting in fewer jobs. Capitalism is always involved in the production of unemployment as part of its quest for profits. Less labour is required to set the more sophisticated means of production in motion; hence capitalism, as part of its everyday functioning, creates a reserve army of labour, ‘a mass of human material always ready for exploitation’. Capitalism, when it is successful (according to the criteria of political economy), involves ‘the constant transformation of a part of the labouring population into unemployed or half-employed hands’ (Marx, 1967, pp. 592–3).

Capitalists want to create the maximum possible surplus. This results in a battle between classes over where the dividing line between ‘labour’ and ‘leisure’ will be set. At work, too, there are antagonisms over how fast tasks must be accomplished, when and for how long ‘breaks’ are to be permitted and so on. More so than any other mode of exploitation in history, capitalism is a struggle over the use of people’s *time*. This is demonstrated by a comparison of surplus production in capitalist and precapitalist societies. In peasant communities, the surplus was enjoyed by those who possessed the means of coercion. Physical power and ideological manipulation were used against the direct producers in order to satisfy the limited or extended wants of the ruling classes. These wants were dependent mainly on the whims of the exploiters in question; in other words, they were not driven by the very organization of the system. However, this process is different under capitalism, where a ‘boundless thirst for surplus-labour arises from *the nature of the production itself*’ (Marx, 1967, p. 226, emphasis added). The arena of surplus-extraction, from the capitalist’s viewpoint, must be in constant motion. Machinery and other expensive tools of the trade cannot be allowed to ‘lie idle’, especially in a poorly regulated competitive environment. As a consequence, work is incessant, because of the necessity to maintain one’s share of the

marketplace. This continues until the state, prodded by working-class resistance, reforms capitalism by placing some restrictions on its ability to rule production.

A third characteristic of capitalism is its unique method of employing the workforce. The precapitalist division of labour was social. It was based on different trades, hence the development of occupations like tailors, locksmiths, carriage-makers and so on. In some guilds, particular tasks could be divided amongst a number of specialists whose combined work would contribute to the commodity. These detailed craftspeople generally worked by hand with the aid of small tools. This division of labour is the consequence of a society of fairly independent producers. This changes dramatically under capitalism, especially its industrial variant, where workers are forced into performing much more limited functions. Their contribution to the creation of a commodity may be something as mundane as putting a nut or bolt on materials that pass in front of them on a conveyer belt thousands of times each day. The division of labour at this minute level of detail occurs only under capitalism. When a few capitalists are able to monopolize property, labourers can be reduced to the lowest common denominator of performing itemized tasks. The involvement of individual workers is trivialized to the point where they may spend their lives repeating a single task ad nauseam. Production is analysed by managers and engineers and broken down into its finest – and cheapest – parts. Workers are deskilled and so can easily be replaced.

Capitalists did not require either machinery or large factories in order to establish control over the labour process – one only has to think of England's system of agriculture (more on this later) or the techniques developed in early industry. It was, however, in the large factories brought into being by the extensive use of machinery in the nineteenth century that the power of the capitalist was greatly extended, through the use of fines, penalties and reduced wages for all sorts of 'misbehaviour'. Labourers objected to this authority to the point of destroying the means of production. As a result, they had to be constantly watched, hence the employment of managers, supervisors, foremen and 'onlookers' who ensured that the work was being done precisely as determined by the capitalist.

In sum, capitalism is a system of social relations where one class owns the vast majority of the means of production while most other members of the society do not own any and so must 'find' work in order to provide themselves with the necessities of life. This system is rooted in competition, so there is an imperative placed on those running

businesses to be productive. One of the consequences of this is a division of labour that would not have been recognized by those who inhabited precapitalist societies. Another important feature of this socioeconomic system, again different from anything that came before, is its distinct form of state.

The capitalist state

A fully developed capitalist state typically consists of some form of legislative assembly, an executive or cabinet, an administration (government departments, regulatory bodies and so on), a system of justice, and a number of repressive apparatuses, including the military, police and 'intelligence' agencies. These different sections of the state are generally duplicated in some manner at 'central', state/provincial, and municipal levels of government.

Ellen Wood (1991, 1995) has added to our knowledge of the historical specificity of the capitalist state by contrasting it with precapitalist societies, where 'extra-economic' coercion in the form of direct and immediate state intervention was required to procure the surplus of rent, taxes and labour services. Eventually, the unified 'political' functions characteristic of medieval society were dispersed into separate public and private realms, the 'political' and the 'economic'. A 'political *devolution*' occurred in the West, accelerating during the period of feudalism, whereby what was once a power of state officials was transformed into an attribute of private property (Wood, 1981, p. 86).¹ This process involved a displacement of the superior yet conditional 'possession' of land by feudal lords in favour of the capitalists' absolute 'ownership' of the means of production, giving them much greater control over how and when property was to be utilized.

With capitalism, exploitation was privatized and for the first time in history was significantly separated from the state, relegated to an 'economic' sphere. The result was that a critical element of what has always been regarded as political power – the ability to directly exploit labour – no longer rested with 'government'. Domination was now an outcome of the 'dull compulsion of economic relations' (Marx, 1967, p. 689). Coercion, though, did not disappear. It continued to be a responsibility of the state since, given the social-property relations of capitalism, privatized 'class power' still occasionally required the use of physical force to quell 'disturbances'. Under capitalism, the arena of coercion remained as a fragment of the state, yet it was now, for the most part, distinct from the exploitative class that appropriated the surplus.

Capitalists rose above the fray, relinquishing control of repressive powers – powers they no longer required. With coercion vested in the state, class struggle over surplus labour, the conditions of work, and wages and benefits, appeared to be non-political, or ‘economic’. The state alone conducts class violence so that ‘when class domination makes itself felt as direct and personal coercive force, it appears in the guise of an “autonomous” and “neutral” state’ (Wood, 1981, p. 93). Furthermore, with the state removed from direct involvement in exploitation, political concessions such as universal suffrage and mass participation in government could be granted, because their importance was greatly diminished. Exploiter and exploited both became ‘citizens’, considered equal before the law, with each adult exercising one vote.

Once the vast majority of individuals are wage-workers, the main role of the state becomes the regulation of the relationship between capital and labour. It acts as a referee between these classes, especially in times of crises. In mediating this class relationship, it is the objective of the state to make as appealing as possible the circumstances for obtaining profits, through anti-union laws, reduced corporate taxes, low minimum wages and so on. ‘State intervention in economic life in fact largely *means* intervention for the purpose of helping capitalist enterprise’ (Miliband, 1969, p. 72). While workers do win some concessions, it is almost self-evident that the ‘specific function’ of this type of state is the protection of capital. The state serves as an insurance policy, guaranteeing that the process of surplus extraction will not be seriously disturbed. For example, the police will often use violence to defend the means of production from angry, unemployed workers, but the state will not force capitalists to invest funds to hire labour, so these same individuals can feed and clothe themselves.

Capital maintains its control of the state indirectly through a discreet form of blackmail. Business exerts a ‘pervasive and permanent pressure upon governments and the state generated by the private control of concentrated industrial, commercial and financial resources’ (Miliband, 1969, p. 132). Its political power lies in its threat to go on a ‘capital strike’ and to refuse to invest funds unless its needs are met, hence placing the government in a position where it suffers a ‘loss of confidence’. This threat is especially potent in an international context where states are forced to act in certain ways to prevent an exodus of capital. The demands of business almost always come down to a desire to be able to exploit workers with as few restrictions as possible. Capitalists also tend to call for low public expenditures, so that the substantial profits they have made do not have to be forfeited in the form of taxes and shared

with the rest of the population. Some social expenditures are supported, even if a minority of capitalists are opposed, but these must not be allowed to endanger the owners' ability to accumulate capital. They are the kinds of reforms that come 'at the least possible cost to the existing structure of power and privilege' (Miliband, 1969, p. 168). Capitalists also do not want to see more than the absolute minimum necessary spent on welfare and unemployment insurance programmes, because the more people can earn this way, the more bargaining power they have in refusing private employment that is low-paying and unappealing. Finally, capitalists are usually opposed to the government running certain sectors of the economy, such as health care, because this removes from their realm a significant portion of 'exploitable' workers who are paid by the state instead.

This view of the state differs dramatically from liberal or 'pluralist' perspectives, which take much for granted, assuming for example that power in capitalist societies is diffused. No one group, their argument goes, can have an overwhelming influence on the state. This is especially so, given that there are always at least two main opponents seeking the state's attention: big business and 'big labour'. For sure, some groups in the population may be able to have their voices heard easier than others. There is, then, what could be called an 'elite' but there is no such thing as a 'ruling class'. Government serves the people, reflecting the variety of interests that come out of democratic debates, resolving them into a coherent and 'balanced' public policy. As Ralph Miliband (1969, p. 237) has noted, though, this view tends to overlook the fact that 'unequal economic power, on the scale and of the kind encountered in advanced capitalist societies, inherently *produces* political inequality, on a more or less commensurate scale, whatever the constitution may say'. It also excludes the notion that 'the state might be a rather special institution, whose main purpose is to defend the predominance in society of a particular class' (Miliband, 1969, p. 5). The liberal-pluralist view typically understands the 'modern' state as no more than an organization that controls 'the means of violence and coercion' within a 'geographically-bounded territory' (Hall and Ikenberry, 1989, p. 2). This definition is accurate but it is incomplete, because it ignores the central relationship between states and the exploitation of most of the population.

The unique features of the capitalist state can be drawn out in another way, by trying to itemize what would be the guiding principles and the typical, everyday actions of a state in a socialist society. In a post-capitalist community, I suspect the state would work actively to use

the taxation system to reduce social inequalities based on income and wealth, institute relations of production that are democratic, abolish unemployment and reduce underemployment to a minimum, increase the amount of leisure we enjoy, help parents raise their children, encourage participation in the public realm of life, remove areas like health and education out of any private market that remains and so forth. A socialist state would not be primarily a crisis manager, a reactive body, involved in the implementation of fleeting concessions meant only to head off the social disarray of the hour. Rather, 'what capitalism does grudgingly and inadequately would be done wholeheartedly in a context in which the requirements of capital would have ceased to weigh upon governments' (Miliband, 1994, p. 124).

The everyday actions of businesses and the policies of capitalist states are so taken-for-granted today that it almost seems strange that rulers in precapitalist societies were actively involved in governing their communities, and that they employed state power directly in the form of taxation, fees and fines to obtain part of the social surplus. The critical differences between the two are drawn sharply when we consider that, among other things, the precapitalist state enriched the ruling class by taxing the poor; the capitalist state enriches the ruling class by *not* taxing the wealthy.

The use of the state as a means to exploit individuals has changed over time to meet the function of maintaining the dominated in their position as producers of surplus wealth. The relationship of the state to the economy has tended to follow 'the "logic", as it were, of the surplus extraction relationship itself: of the needs of the ruling class, as conditioned by the character of their exploitative relationship with the direct producers' (Brenner, 1977, p. 65). With capitalism, state power was modified in response to alterations in the form of exploitation, especially after both the producers and the appropriators were subjected to market dependence in order to make a living. This novel relationship first made an appearance on English soil.

The transition from 'feudalism' to capitalism

How did capitalism emerge? This question has been the subject of commentary for more than a century and a half, going back to the works of Karl Marx. Despite some important observations, most interpretations of the origins of capitalism, both liberal and Marxist, are deeply flawed. They will be surveyed next as background to the insightful contribution of Robert Brenner, reviewed in the final section of the chapter.

World systems theory

One highly influential explanation of the transition out of feudalism has been provided by world systems theory, a body of thought developed most prominently in the writings of Immanuel Wallerstein (1979, pp. 17, 19, 24, 38). He has suggested that in the fourteenth and fifteenth centuries there was in Europe a growing division of labour, increasing technological knowledge and an augmentation of the forces of production, yet this area did not differ much economically from, say, certain parts of Asia. However by c. 1500 the modern world system was being born, specifically in Europe, as the result of commodity trading and the expansion of markets between Europe (the 'core') which gained at the expense of the 'periphery' (most of the rest of the world except for a semi-periphery near Europe). Core areas enforced a mechanism of unequal exchange on the weaker periphery, creating a hierarchical division of labour in which, for instance, highly valued tasks like manufacturing could be undertaken in the core while less valuable pursuits such as resource extraction could be relegated to the periphery. It became a world economy 'in the sense that the various areas came to be dependent upon each other for their specialized roles'. In this argument, capitalism can grow only as a result of trading between countries; it 'was from the beginning an affair of the world-economy and not of nation-states'. Hence Wallerstein is opposed to the procedure whereby classes 'have been analyzed as though they existed within the nation-states of this world-economy, instead of within the world-economy as a whole' (that is, the method that will be used throughout this book). He has also argued that the distinctions between wage-labour, slavery, serfdom, sharecropping and so on are not important because these 'are all alternative modes' in which 'labor is recruited and recompensed in the labor market'. This assertion is also one I reject, because the features that differentiate these modes of labour are crucial to any explanation of why, in the early modern era, capitalism developed in some places but not others.

J.M. Blaut is another exponent of world systems theory. He has claimed that any view that regards Europe as the home of capitalism is 'a form of historical tunnel-vision', a Eurocentrism which asserts 'that Europeans are better or bolder or brighter than non-Europeans' (Blaut, 1989, pp. 260–1). In contrast, much like Wallerstein, he saw capitalism as a virtually global phenomenon from the beginning; it did not emerge at a particular geographic point. In answer to the question 'where was capitalism born?', Blaut (1976, p. 1) wrote: 'In Asia, Africa, and Europe.

Countless centers of incipient capitalism were springing up across the Old World during the two or three centuries prior to 1492.' For Blaut (1989, pp. 266, 280), it was only after Christopher Columbus made contact with the Americas that Europe began to dominate, as a result of its plunder of the New World. This colonization provided Europe 'with massive capital accumulation', without which capitalism could not have prospered where it did, when it did, especially in the period 1492–1688. Colonialism 'initiated the transformation, continued to feed it, and sparked those internal changes which eventually produced the revolutionary transformations in economy and society', including 'the true rise of the bourgeoisie'.

Fernand Braudel's (1992, pp. 272, 282, 294, 600–1) view is similar to Wallerstein and Blaut's, except that Braudel pushed the birth of capitalism further in time, in some forms as far back as the ancient world, becoming established in the major cities of Europe, especially in Italy, in the late thirteenth and early fourteenth centuries. In this era, the rise of capitalism 'operated world-wide'; this 'parallel development proves that the market economy, the same everywhere with only minor variations, was the necessary, spontaneously-developing and in fact normal base of any society over a certain size' (though other conditions were necessary to create capitalism proper, namely the 'liberating action of world trade' which brought about an international division of labour). At the same time, Braudel was aware of an 'English model' of capitalist agriculture. He noted the early disappearance of the 'feudal' system in England, the growing division of labour, as well as the rise of the social class triad of landowner, capitalist-tenant farmer and wage-labourer. He immediately suggested however that with 'these criteria in mind, we shall discover, in the history of Europe, examples more or less close to the English model – proving incidentally that the agricultural revolution was a European phenomenon, just as much as the industrial revolution which accompanied it'. He concluded: 'In Europe taken as a whole, the role played by agrarian capitalism was in the end rather small.'

Writers like Andre Gunder Frank wanted to go beyond Wallerstein, Blaut and Braudel and push the notion of capitalism back at least five thousand years. In other words, societies, not just the great civilizations like Egypt, Mesopotamia, Persia and India, but even the 'many peripheries, hinterlands, and countless nomadic migrants and invaders' (Frank, 1991, p. 18) have supposedly been structured around the accumulation of capital. Given his interpretation of economic history, Frank (1991, p. 24) asked: Is it

still possible or sensible to argue that there was a qualitatively different 'transition' to and creation of a 'modern-world-capitalist-system' around 1500? Or that this 'transition' arose essentially out of the 'transition from feudalism to capitalism' in Europe? No! and No again! It is time to relegate the latter debate to the parochial European history to which it rightly belongs.

In contrast to world systems theory, my approach proposes that the transition to capitalism did not require the exploitation of non-European peoples as a necessary condition. Capitalism prospered in the original case by pumping a surplus out of the English population, which grew from two to nine million between 1500 and 1800. People on the Continent, let alone anywhere else in the world, were virtually untouched by this process, at least in its earliest stages. For example, from 1450 to 1750 trade between what gets called the core and the periphery cannot be viewed as fundamental, or even important, to the economic development of western Europe. Trade with the New World began to grow only after c. 1650. Around 1750, roughly 10 per cent of Britain's gross national product (GNP) was being exported, less than half of this to the New World, a small amount in the context of total economic activity. In 1800, 'commodity trade between core and periphery accounted for not more than 4 per cent of the aggregate GNP for Western Europe' (P. O'Brien, 1982, p. 5), a figure that would no doubt be minuscule if we could trace it back to the mid-1600s when capitalist social relations were beginning to be entrenched in England.

We need to dispense with the notion that capitalism emerged simultaneously within every nook and cranny of the world. We also need to dispose of the idea that capitalism appeared first in Europe only (or mainly) because of colonialism, a view that does not accept the possibility that capitalism could be born on one continent, let alone in one country. There is an underlying tone to world systems analysis which suggests that there is some kind of Cultural Prize for being the first capitalist country. Most of these writers are active opponents of capitalism and yet, succumbing to the false analogy capitalism = civilization = intelligence, which they justly criticize, they then make a desperate grasp at claiming the origins of capitalism for any and every part of the globe. If they fail in their mission, areas of the world like Latin America may appear 'stupid', 'backward' and 'primitive'. But if we reject the notion of a Cultural Prize, we can simply admit that 'peripheral' areas were not capitalist in the early modern era (in fact, not even close to being capitalist). In the end, despite its claim to be a version

of historical materialism, world systems theory is unhelpful in understanding the transition because it ignores class struggle, legal systems and the processes of surplus extraction *within* nations, both developed and underdeveloped, focusing instead on 'exploitation' between *countries*, not classes (Gülap, 1981). World systems theory overlooks Marx's central insight: capital is a social relation.

The bourgeois paradigm

The last century of social and political thought has produced another version of the transition from 'feudalism' to capitalism, one that is perhaps even more influential than world systems theory. Ellen Wood (1991) has referred to it as the 'bourgeois paradigm', a framework containing a series of assumptions that are at the core of most liberal, Weberian and much Marxist theorizing of the transition, dominating the historical and sociological literature on the subject. This paradigm is grounded in a series of taken-for-granted paired oppositions such as rural/urban, agriculture/commerce, traditional/rational and coercion/freedom. Instead of focusing on class structures, the dividing point between past and present is typically described by vague dualisms such as *gemeinschaft/gesellschaft*, mechanical/organic or status/contract. In this paradigm, capitalism is for the most part an urban phenomenon grounded in the activities of merchants and 'burghers'. The move away from the medieval world was led by a triumphant bourgeoisie in its mission of conquering a declining aristocracy. The bourgeoisie were forward looking entrepreneurs, the risk takers who invested their money, in the process initiating economic progress. Societies moved through a series of stages, from the left side to the right side of the paired oppositions (noted above), in the passage to 'modernity'. Capitalism's underlying social relations are overlooked in this paradigm, so obvious as to not require explanation. Capitalism is seen as 'simply more trade, more markets, more towns, and, above all, a rising "middle class"' (E. Wood, 1991, p. 7).

The proponents of the bourgeois paradigm tend to utilize similar abstract divisions between the old and the new, even when they acknowledge that the 'new' is, not just the 'modern', but something called 'capitalism'. Max Weber (1992), for example, claimed to have identified the beginnings of capitalism in ancient societies, and from that period onwards it was supposed to have emerged at various points throughout the world in a number of distinct types, such as 'adventurer', 'pariah' and 'rational'. An alternative to Weber's notion that most societies have

been capitalist for at least a couple of millennia is a more common assertion which contends that this economic system originated in western Europe after the middle ages. Capitalism, which has always existed in Europe in a 'latent' form, prospered as a result of a timely consolidation of 'modern' factors, including money, credit, trade, merchants, urbanization, science, rationalization, freedom, democracy, liberalism and a broad division of labour. Historians have long argued over which of these conditions were the most important determinants in the 'rise of the western world'. In a survey of the origins of capitalism, Peter Saunders (1995, pp. 1–2) gave a faithful rendition of the bourgeois paradigm:

Modern capitalism has its roots in trade, roots which lie deep in the soil of European history. As far back as the eleventh century, when the waves of Norman, Saracen and Magyar invasions in Europe gave way to a period of relative peacefulness, merchants began to develop commercial trade routes, open up new frontiers, and create a rudimentary system of international money and credit through the use of bills of exchange. This expansion of trade led eventually to the growth of new centres of commerce and manufacturing in the Low Countries and in Italian cities such as Florence.

By the sixteenth century, when European nations began to extend their trade and their territorial claims westward into the Americas, and eastward into the Orient, commercial capitalism was well developed in northern Europe. By then, cities such as Antwerp and Amsterdam were functioning as major centres of commercial exchange, trading bullion from South America, timber from the Baltic, spices from the Far East and textiles from England. More importantly, capitalism had by then also begun to permeate industry and agriculture.²

Daniel Chirot (1985, pp. 186–7, 193) is another prominent exponent of this theory. He criticized the world systems view, asserting that it 'is virtually useless in helping us understand the reasons for which the West became the most progressive of the agrarian civilizations of the Middle Ages'. However Chirot argued that the markets for capital, land, labour and commodities that developed throughout preindustrial Europe 'centered on the urban and mercantile centers of all of Western Europe, not exclusively in one nation or another'. His conclusion was that the 'rationalization of law and religion in

Western Europe, combined with the increasing protection given to townsmen who embodied market and economic rationality, ultimately led to the creation of capitalist economic relations in northwestern Europe'. Furthermore, Chirot (1985, p. 192) noted his opposition to any notion that England was different from its Continental counterparts:

Certainly, to consider England in isolation, simply because it industrialized first, and for about a century led European technological and economic progress, is to miss the point of the long period of Western advances which preceded the eighteenth and nineteenth centuries. This progress was not limited to England at all, but widely spread throughout parts of France, the Low Countries, the Germanies, Scandinavia, Switzerland, and for a time, northern Italy.

Trade between medieval towns and cities is assumed to be the natural 'breeding ground' for capitalism, notwithstanding that in most of these urban centres merchants gained their wealth in time-honoured ways – through the use of monopolies and coercive political, legal and military powers. There was nothing in

the traditional economic practices of burghers that would account for the subjection of labour to capital, nothing in the rationality of commercial profit taking that would explain how it came about that all production became production for exchange and that direct producers were compelled to enter the market in order to gain access to their means of self-reproduction. And there is certainly nothing to explain how production became subject to the imperatives of competition, the maximization of surplus value and the self-expansion of capital.

(Wood, 1995, pp. 164–5)³

The problem with the bourgeois paradigm is that it is historically inaccurate. It takes for granted the thing that needs to be explained, namely the existence of capitalism. In this paradigm, the novel mode of production (capitalism) is not really novel at all, because it is always hidden somewhere in a social formation, while at some point finally making a substantial quantitative leap forward. Through a process of the removal of barriers, such as those that inhibit innovation or trade, economies simply 'takeoff' and grow into capitalism.

Eric Wolf and Karl Polanyi

Unlike world systems or Europe-focused theories, other writers have narrowed in specifically on England as the birthplace of capitalism. Eric Wolf (1997, pp. 77–9, 85, 265, 268), for one, has critiqued the views of both Weber and Wallerstein that ‘the change from merchant wealth to capital is continuous, linear, and quantitative’. Merchant trade cannot automatically create capitalism, especially when mercantile activity did not occur in a supply and demand-styled market but rather was ‘hedged about by a carapace of privileges and prerogatives’. Wolf noted the distinction between merchants who become wealthy by ‘buying cheap and selling dear’ and capitalists who ‘invade the productive process and ceaselessly alter the conditions of production themselves’. As a result, he concluded: ‘There is no such thing as mercantile or merchant capitalism, therefore. There is only mercantile wealth.’ He suggested in contrast that an important feature of capitalism is that labour-power must become a commodity. In order for this to happen the ‘tie between producers and the means of production has to be severed for good’. Wolf pointed to England as the first country to successfully make this transition. He noted the changes that led to the creation of a rural labour force, including alterations to peasant tenure and land management, the move towards ‘improvement’ and profit maximizing, the rise of leaseholds, and the fact that in the early modern era ‘landowners increasingly turned agriculture into a business’.

Despite this, according to Wolf (1997, pp. 272, 290–1, 294), it was merchants who were the driving force behind the transition because they gradually took over production in the process of creating industrial capitalism. There were important changes in the manufacturing of cotton in the period 1760–1780 as English merchants outside London gained control of cloth and eventually yarn production. This soon culminated in the development of the factory system. Hence, ‘the very process of harnessing men to machines prompted the rise of the capitalist entrepreneur’. It was in England that ‘capitalists first took “the really revolutionary road” of transforming the means of production, and they did so in the production of cotton textiles’. This quickly ‘initiated a social order built upon a new mode of production’. In sum:

The breakthrough from mercantile domination to the capitalist mode of production was achieved in England in the second half of the

eighteenth century. Spurred by capitalist investment, a series of linked inventions established the predominance of production by machine, first in textile production and later in the construction of railroads. . . .

The major vehicle for the transition to the capitalist mode of production was the textile industry of eighteenth-century England. In cloth production mercantile wealth was visibly transformed into capital, as it acquired the dual function of purchasing machines and raw materials, on the one hand, and buying human energy to power their operation, on the other.

(Wolf, 1997, pp. 266–7)

Wolf ignored the development of capitalism in agriculture while focusing on industry as the birthplace of the capital/wage-labourer class relation, with his genealogy composing the usual suspects: merchants, factories, machines and textiles. More so than Eric Wolf, Karl Polanyi's (1957, pp. 55, 67, 70–1) work focused on the creation of capitalism as a social process. He noted that the Industrial Revolution was predicated on the development of a market economy. He wanted to discover how we moved from societies based on reciprocity or redistribution to those grounded in profit-making and private economic gain. In doing so, however, Polanyi conflated capitalism with the Industrial Revolution, contrasting this to 'mercantilism', where the 'economic system was submerged in general social relations'. From at least the sixteenth century, under the mercantile system, markets were heavily regulated; they were 'a main concern of government'. Speaking of England and France, he noted that 'not before the last decade of the eighteenth century was, in either country, the establishment of a free labour market even discussed; and the idea of the self-regulation of economic life was utterly beyond the horizon of the age'. This change to self-regulating markets 'represented a complete transformation in the structure of society'.

Like Wolf, it was for Polanyi (1957, pp. 75, 80, 83) the merchant who was the driving force of social change. Merchants took over production, reorganized it and pushed ahead with long-term capital investments including the development of the factory system. Labour and land becoming commodities was the 'inevitable consequence of the introduction of the factory system in a commercial society'. He saw settlement laws and poor relief in England as preventing the rise of a labour market, something which only came into being

with the abolition of the old poor law in 1834. This marked 'the starting point of modern capitalism', so much so that 'industrial capitalism as a social system cannot be said to have existed before that date'.

Polanyi (1957, p. 71) correctly noted that the creation of the market 'demands nothing less than the institutional separation of society into an economic and political sphere'. However, he dated this separation much too late, from roughly the 1790s, because he tended to conflate the market with industrialization, as did Wolf. He did not see market imperatives arising long before this period, nor did he view the competitive obligations that had developed in agriculture as a precondition for the explosion of industry in the years 1830–1880. While aware of the massive social dislocations caused by the market, he did not draw out the peculiarities of English agrarian capitalism in the way, for instance, that Robert Brenner did. Indeed, Polanyi (1957, pp. 40–1) sometimes contrasted what he called the 'market system' with 'agricultural society', a fatal error in any attempt to understand the emergence of capitalism.

Karl Marx

Many of the writers discussed above have drawn heavily on Karl Marx's theory of the transition from feudalism to capitalism. Unfortunately, the analysis elaborated in the works of the early Marx and Engels, most notably the *German Ideology* and the *Communist Manifesto*, is extremely similar to the bourgeois paradigm. Their account of history in these texts is surprisingly 'unmarxist' (as opposed to their later writings, especially Marx's *Capital*).

The writings of the 1840s, especially the historical sections of the *German Ideology*, explained the transition to capitalism as a result of the division of labour that appeared alongside the separation of town and country. In medieval Europe, serfs fled rural areas, becoming craftsmen and increasing the population of the cities. They created guilds to protect themselves thereby preventing competition. The variety of occupations was limited due to the generally small size of the urban sector, so out of necessity guild members had to master a number of tasks. Over time, with continued economic growth, production and commerce were separated, merchants proliferated and trade between towns was extended. A division of labour then formed between these geographically dispersed urban centres as different areas specialized in a narrow range of industries. This process was furthered by the rise of the burghers (town citizens), a group in conflict with the landed nobility and one that played a revolutionary part in the development of capitalism. The

members of this bourgeois class had 'torn themselves free from feudal ties', united 'by their antagonism to the feudal system which they found in existence' (Marx and Engels, 1978, p. 179). Marx and Engels (1955, p. 10) suggested that they were the descendants of the former bondsmen of the countryside: 'From the serfs of the Middle Ages sprang the chartered burghers of the earliest towns. From these burgesses the first elements of the bourgeoisie developed' and it was this 'rising' class that overturned the 'tottering feudal society'. Once the bourgeoisie had established a stable foundation, they organized large-scale production, especially in weaving, in places where both population and capital were highly concentrated. These relatively sizeable, labour-intensive manufacturing operations destroyed the old guilds while attracting even more peasants into the towns. The final stage was completed with the proliferation of international trade and the development of huge industrial enterprises centred around steam power and the more pervasive use of machines. Society was now made up of capitalists and wage-workers.

Like the bourgeois paradigm, this is a tale in which social change is built upon the division of labour, the augmentation of trade, the innovation and freedom of the city, and the rising and falling of groups up and down the economic ladder. It is hardly at all a theory of exploiter and exploited in 'constant opposition to one another', what one might expect from a Marxist analysis. In his later work, Marx abandoned this liberal framework, suggesting instead that the crucial aspect of the transition was the separation of individuals from the land, which in precapitalist societies was the most significant means of production. He attempted to answer the question of how a relatively large proportion of property came to be monopolized by a small number of individuals in order that the few could then employ the many. He concluded that what was most important in the development of capitalist social relations were

those moments when great masses of men are suddenly and forcibly torn from their means of subsistence, and hurled as free and 'unattached' proletarians on the labour-market. The expropriation of the agricultural producer, of the peasant, from the soil, is the basis of the whole process. The history of this expropriation, in different countries, assumes different aspects, and runs through its various phases in different orders of succession, and at different periods. In England alone... has it the classic form.

(Marx, 1967, pp. 669–70)

Marx's allusion to the 'classic form' is a reference to the birth of capitalist agriculture as a consequence of enclosure, engrossment and competition (discussed in Chapter 3). He concluded that it 'is a historical precondition' of capitalism 'that the earth has to receive the form of landed property' (Marx, 1981, p. 1023). Landed property is 'the legal fiction by virtue of which various individuals have exclusive possession of particular parts of the globe' (Marx, 1981, p. 772). In sum, 'private ownership of land, and thus the expropriation from the land of the direct producers – private ownership for some, involving non-ownership of the land for others – is the basis of the capitalist mode of production' (Marx, 1981, p. 948). In one of his final works, Marx (1989, pp. 355, 357) indicated how this process tended to unfold. Writing in 1881 on the question of the possibility of a transition to socialism in Russia, he proposed that the agrarian commune in that country 'has nearly been brought to the point of extinction' by the 'destructive influences' assailing it, with the effect that

the current state of the commune is no longer tenable and that soon, by sheer force of circumstances, the current method of exploiting the mass of the people will no longer be in fashion. So new measures are needed – and the innovation stealthily introduced in widely differing forms always come down to this: abolish communal property, make an intermediate rural class of the more or less prosperous minority of the peasants, and turn the majority into proletarians, without mincing matters.

Maurice Dobb and Paul Sweezy

Later writers built on the more mature assertions of Marx in an attempt to explain England's unique record of growth, in particular its position as the 'first industrial nation'. A debate on the transition from feudalism to capitalism that took place in the 1950s was especially important. It centred on the opposing viewpoints of Maurice Dobb and Paul Sweezy.⁴ Sweezy argued that feudalism suffered from sources of instability such as intra-ruling class competition, usually in the form of warfare, and a level of population growth that left society unable to feed itself. But while these phenomena may have led to impoverishment and the exhaustion of land, they were not necessarily transformative. In particular they did not alter the methods and relations of production. As a result, feudalism had no internal 'prime mover'. The cause of change, then, from production for use to production for the market had to be external to the

system. This key factor, Sweezy argued, was long distance trade, which resulted in commodities being manufactured in cities. This eventually created a system whereby finished goods were exchanged before being consumed.

Maurice Dobb, in contrast, argued that Sweezy had focused on relations of exchange and not relations of production. In particular, Sweezy had overlooked the class conflict that is internal to feudal society. The crucial event in the transition, Dobb suggested, was the mid-fourteenth century plague which led to a scarcity of labour. Landlords attempted coercive measures to keep peasants on the manor, but these failed, and it soon became clear that the economic system could not be maintained on the basis of the old relations of production. The outcome was better terms for peasants, including fixed rents which led to the tillers of the land controlling a larger share of the surplus. There is a change, then, in what Dobb called the petty mode of production; the producers enjoyed a greater degree of independence from their parasitic lords and eventually freed themselves from feudal exploitation. The distinguishing feature of this new mode of production was a novel social differentiation within the peasantry such that those who were less fortunate, the 'semi-proletarians', were hired as wage-labourers by their wealthier co-workers. The industrial capitalist was born.

Robert Brenner and agrarian capitalism

The work of the American historian Robert Brenner went beyond the first effort by Dobb, Sweezy and others in unravelling the 'feudalism to capitalism' mystery. One of the most disappointing aspects of the discussion before Brenner was the lack of a precise exposition of English feudalism. Even more important, however, was the failure of most writers to give a specific answer to the question: 'What is capitalism?'

Brenner rejected the collection of theories noted above. In contrast, he suggested that explaining the transition to capitalism requires a focus on class relations and forms of property ownership, in particular the rules for social/biological reproduction. The main class conflict in almost all non-capitalist societies was between landlords and peasants. The question is how precisely, over a long period of time, was this social relation abolished, and how were the social actors 'landlord' and 'peasant' replaced by 'capitalist' and 'wage-labourer'? How did it happen that nearly everyone was *forced* to produce almost exclusively for the market? For Brenner, capitalism did not develop at the same time in almost all corners of the world, as Wallerstein, Blaut

and Braudel contended. In addition, capitalism at its birth was not European or even West European, as Saunders and Chirot maintained. And it was not grounded in the creative activities of merchants, as Wolf and Polanyi would have us believe. Brenner's argument was that England was the first capitalist country, an assertion that most historians, including many Marxists, would not accept. What was at the heart of the transformation was a modification of class relations from the old 'landlord versus peasant' to a unique three-tiered class structure of landlords, capitalist-farmers and wage-labourers. A competitive imperative was brought into the world of agriculture, which required businesses – in this case farms – to cut costs and improve productivity. This was an environment where owners (and renters) of means of production had no choice but to compete against each other, where the actions of all producers, in lowering their costs, had a direct bearing on the economic well-being of everyone else. Brenner has developed, in my view, the most convincing explanation of the origins of capitalism, and he did so by effectively applying the 'modes of exploitation' theoretical framework.

Brenner's critique

An important aspect of Brenner's work was a consideration of the fundamentally different class relations that separated precapitalist and capitalist societies. For Brenner, there was a tremendous chasm between the social worlds of feudalism and capitalism. The move from the former to the latter can only be understood as a cataclysmic rupture in the constitution of peasant-based exploitation, a pattern of exploitation that had existed in various forms for at least a couple of millennia.

Precapitalist producers in Europe (generally peasants) had access to means of production, for the most part land, animals and tools. This meant that exploiters (typically landlords) could not assume that a profit would fall into their hands. They had to redistribute wealth to themselves through the use of extra-economic coercion. And while lords used the threat of physical force and legal punishments as a means of gaining part of the surplus, it would never have occurred to them, nor in most places and times would it have been possible for them, to push peasants off the land. It would not have been astute for individual lords to expropriate peasants, the very people who went out into the fields every day and did the work, the fountain of the lord's riches. But such an action was generally ruled out anyway, because peasants in Europe, like peasants everywhere else, had well-defined rights to the use of land. As a consequence, 'the lords could not "fire" them and were thereby

deprived of perhaps the most effective means yet discovered to impose labor discipline in class-divided societies' (Brenner, 1989b, p. 25).

A further result of the fact that peasants did not have to enter a market for land, and that they could not be dismissed at the will of the lord, was that landlords did not direct the labour process. Cultivation was controlled by the community. Class conflict revolved solely around the distribution of the surplus and not, as in capitalism, the distribution of the surplus as well as *the method of production itself*. In such circumstances, there was no requirement for peasants to be productive in the sense of cornering the market on an item or two and producing it at the lowest possible price. Rent was determined by extra-economic coercion, not by competition and the need to make and maintain an average level of profit. Production was diversified, consisting of a wide range of subsistence goods. Only surpluses beyond household requirements would have been sold. In short, neither lords nor peasants had the threat of the market hanging over their heads, with its constant obligation to compete against others. Such a market did not yet exist. Such a market was not *allowed* to exist.

Given their social relations, precapitalist societies tended to have an increasing subdivision of land over the course of a number of generations, a lack of specialization as families attempted to be as self-sufficient as possible, and a declining level of productivity on the ever-crowded properties. This way of life often culminated in widespread poverty and the onset of famine once unbearable land/people ratios were reached. For instance, the 300 years after the Bubonic Plague (1340s) were ones of repeated disasters on the continent of Europe. Despite this, 'the old feudal property relations persisted, undergirding the repetition of established patterns of feudal economic non-development' (Brenner, 1990, p. 179). The 'rules for reproduction' were solidified and not even the most horrendous forms of destitution could displace them. Pervasive crises did not lead to the break-up of traditional agrarian systems. Capitalism, in contrast, is notable for being able to overcome these tragic, Malthusian traps.

Capitalism is a system of absolute private property, with workers separated from the means of production, forced to sell their labour-power. Workers must enter a market and find a 'boss' who will grant them access to the tools with which they will labour. Most individuals are taken on by firms that have to operate under a competitive imperative, generally producing a specialized commodity for the market. Companies exploit propertyless individuals without having to resort to the older forms of coercion. In fact, coercion is now dispensable for the most

part, because people are 'free' and hence have little choice but to sell their physical and mental skills to another person. Employees have to purchase their basic sustenance in the marketplace as well, goods that they would have, at one time, produced themselves. Access to both the means of production *and* the means of subsistence are no longer guaranteed to individuals as a birthright, something that comes to them directly, but rather are mediated through the supply and demand of a marketplace. The necessity to compete forces businesses to cut expenditures and improve productivity. For owners who want to remain solvent, capitalism demands social behaviour that gears production towards exchange, entailing specialization, accumulation and the implementation of the most recent technological innovations. Once this process has reached a certain level, it expands exponentially forcing inefficient firms out of business. Failed proprietors become wage-labourers. Hence, it can be said that in the course of the transition, the extension and domination of competition and capital accumulation 'creates its own labor force of proletarians' (Brenner, 1989b, p. 20). As Ellen Wood (2002a, p. 60) has noted, a 'mass proletariat was the *end*, not the beginning, of the process. It cannot be emphasized enough that for Brenner, the market dependence of economic actors was a *cause*, not a result, of proletarianization.'

In explaining the development of capitalism, Brenner downplayed the importance of three standard causal factors, while acknowledging that they did have a role to play in economic development. The first of these is a demographic theory which posits a sequence of events in precapitalist societies based on the fact that population tends to grow over time. But inevitably, societies end up with a surplus of people. This leads to a reduction in land available for agricultural purposes, resulting in poverty and starvation for many, culminating in a population decline. The number of inhabitants eventually bottoms out and a new cycle begins shortly thereafter. Brenner rejected this model as being able to explain the transition to capitalism because the economic outcome in a variety of nations in western and eastern Europe was different in the early modern era, especially in England, despite the fact that all countries had roughly similar demographic features.

Second, the transition was not mainly the product of the growth in the forces of production, leading to changes in the division of labour – especially between commerce and industry – which in turn precipitated urbanization and the growth of cities. This argument suggests that towns develop and their powerful economies, attractive to serfs, eventually destroy feudal agrarian relations. Certainly, centres like London were

important in creating a demand for food and other products. However, the critical evolution in social relations which eventually resulted in the abolition of the English peasantry occurred predominantly in the countryside. Brenner pointed out that when industrial capitalism did begin to take off, it did so in smaller towns and villages where an excess of free labourers existed. Other writers had also stressed the importance of changes in rural areas; nevertheless, they assumed that capitalism grew almost spontaneously out of petty commodity production. This view also tends to posit the existence of a bourgeois revolution whereby a rising, entrepreneurial, typically urban, bourgeoisie had to overcome a regressive, backward-looking aristocracy. However, this view fails to appreciate that capitalism developed '*within the framework of – and not in contradiction to – aristocratic landlordism*' (Brenner, 1989a, p. 274). English aristocrats and the farmers to whom they rented land were forced to act in 'capitalist ways', unlike the agrarian upper classes on the Continent and dissimilar from most merchants, dealers and members of the bourgeoisie (typically professionals such as lawyers or magistrates, or those who lived in the city, their revenues coming from property, including state offices, loans and land).

Third, Brenner also rejected the related argument that commercial trade and merchant capital were the driving force of the transition, pointing out that these activities are thousands of years old. In addition, in most precapitalist societies only a small amount of the total production ever reached the market. Means of production (basically land) and means of subsistence (crops, animals, fuel, housing materials, clothing and so on) were not yet marketized, so the few goods that were bought and sold had 'only a limited impact on production, its character or the amount produced' (Brenner, 1977, p. 50). The circulation of commodities and means of production was prevented by a system dominated by self-ownership and self-sufficiency, hence there was a substantial *social* (and not merely technological) barrier, a virtual peasant-enforced immunization to the development of capitalism. Brenner maintained that even in the midst of limited trade, the actions of both lords and peasants, as we might expect, generally reinforced the status quo. Lords, for example, would not expel their peasants; this would not have been in their self-interest because they would have had no one to exploit. The rational response of lords in difficult economic times has always been to intensify, not to undermine, precapitalist property relations, by increasing services, rents and taxes and spending these, whenever possible, on luxury goods and military adventures. The battle between lords and peasants was typically one where the former attempted to

maximize surpluses while the latter's objective was to establish independent, village control of land and the labour process, with few taxes and low rents. This was a production regime that was non-capitalist to the core.

Merchants, despite their wealth, could not make people produce, nor could they force individuals to bring their goods into the marketplace. Hence, it is not enough for analysts to point to the 'growth of commerce' as an almost natural process, so that the exchange of goods in itself is seen as the motor that creates capitalism. In this formula, merchants offer goods for sale – the 'rise of trade'; people then adopt methods of production that will facilitate exchange; and finally property relations are transformed by both peasants and lords into capitalism. In contrast, Brenner (1986, pp. 26–7) suggested that, in explaining economic progress (or the lack thereof) within any society, 'the causal sequence runs roughly as follows: form of property relations → rules for reproduction of the individual economic actors → long-term pattern of economic development/non-development'. In accounting for the transition to capitalism, then, one must begin by drawing out how and why the older peasant-based property relations were transformed into ones that were capitalist. The questions that have to be answered include: How were potential capitalists able to purchase the labour-power of landless individuals? And how were they able to fully control land, turning it into absolute private property, while abolishing communal forms of management?

The problem with most versions of the transition is that they assume 'the existence, in embryo, of capitalist-type mechanisms and capitalist-type structures to explain the emergence of capitalism itself' (Brenner, 1985c, p. 204). The result is a circular argument whereby 'capitalism is assumed in order to explain the onset of modern economic growth, while pre-capitalist property relations somehow magically disappear' (Brenner, 1986, p. 36). Because neither side in the older agrarian systems was consciously involved in destroying their habitual way of life, the unprecedented breakthroughs that led to capitalism 'must be understood as unintended consequences of the actions by individual lords and peasants and communities of lords and peasants in seeking to reproduce themselves in precapitalist ways' (Brenner, 1989b, p. 39).

The basis of the view that merchants and other traders were mainly responsible for the transition 'is the extra-historical universe of *homo oeconomicus*, of individual profit maximizers competing on the market, outside of any system of social relations of exploitation' (Brenner, 1977, p. 58). But most merchants were pale imitators of 'economic man',

since their own activities of buying cheap and selling dear tended to rely on the existence of state-imposed monopolies. Entry into their markets was restricted. This was the antithesis of capitalist competition, so 'far from subverting the feudal order, the merchants very often became its bulwark' (Brenner, 1978, p. 131). Something more than the mere trading of excess goods was required to transform class relations and create a system where 'surplus is systematically achieved for the first time through increases of labour productivity, leading to the cheapening of goods and a greater total output from a given labour force' (Brenner, 1977, p. 30). What requires explanation is how wage-labour came to be commodified and how capital managed to become unfettered, completely free to be invested anywhere, to move hither and thither at will.

Brenner's argument

Brenner, in turn, suggested that what was critical to the transformation from peasant-based societies was the establishment, development, and modification of agrarian class structures (and given that capitalism *is* a particular class relation, Brenner was surely right to focus on the appearance of the unprecedented class system that is the essence of capitalism, the thing that defines it as a mode of production). Class structures condition the surplus-extraction relations and the labour process. They place limits on, and open possibilities for, long-run economic changes. They permit or, conversely, disallow certain forms of economic behaviour, constituting a set of rules for social/biological reproduction.

Brenner's work was based on a comparison of England and France. He attempted to draw out what was historically specific about England that led to capitalism developing there, while absolutism came to fruition on the Continent. In a nutshell, he pointed to the development in England of a unique three-tiered class structure consisting of landlords, capitalist-farmers and wage-labourers. Marxists and classical political economists had always stressed that this triad was exceptional, but it was Brenner who first pointed to the fact that tenants held their leases in a competitive, and not a customary, milieu. The result of this was that land increasingly became a factor of production in a capitalist 'economy'.

Brenner's analysis was centred around the issue of peasant tenure. In England, in the years after the mid-fourteenth century plague, lords rented out their vacant lands to farmers. This conversion to leasehold, which allowed one individual to control how land would be used, did not happen in France in a similar fashion. Peasants in France had significant property rights and greater input in directing agriculture, unlike

in England where more land was falling into the hands of large tenant-farmers who held competitive leases. This forced them to respond to market pressures. Peasants in France did not have to compete against each other, and because there was no market for tenancies, they could not lose their land. 'Unlike a tenant, the peasant proprietor did not have to provide a level of rent equal to what the landlord might get from any other tenant – or else be evicted on the expiry of his lease' (Brenner, 1985a, p. 60). The difference in the social relations of production between the two countries was grounded in their legal systems and their different types of states (Brenner, 1993, 1996, 1997, pp. 31–5). French law conceded the peasants' right to customary usages of land. In England, however, under the common law, 'landlords were able to engross, consolidate and enclose, to create large farms and to lease them to capitalist tenants who could afford to make capital investments' (Brenner, 1985a, p. 49) and hence gradually alter the method of production.

The differentiation of the English peasantry was thus critically conditioned by the fact that, under the newly emergent social-property relations, they had *no choice* but to respond to the rising market by competing with one another as effectively as possible – by cost-cutting, and thus by specializing, accumulating their surpluses, and innovating. But this compulsion to compete was only the *result* of the fact that *they were separated from possession of the land*, thus deprived of direct (non-market) access to their means of subsistence, correlatively consigned to leasehold status, and, as a result, subjected to the system of *competitive rents*.

(Brenner, 1985b, p. 301)

Brenner argued that it was in the fifteenth century that leases were beginning to be granted at competitive rates, the culmination of the English landlords' successful struggle against fixed rents and rights of inheritance, two prerogatives that had tended to protect peasant possession. However, the 'unintended consequence' of this struggle 'was to subject their tenants to competition for leases, and all that that implied for economic development' (Brenner, 1989b, p. 49). Many tenants in England no longer owned land (or, more accurately, they no longer shared ownership with their lords). A larger number of individuals were holding land on a type of contract, and they had to produce for the market if they wanted to maintain these leases. If farmers were not competitive, they would be unable to pay their rent, and they would

have to relinquish their access to property (a social action relatively rare in precapitalist societies). In the years approaching 1600 we see for the first time 'the leasing of the land to a large commercial tenant, usually recruited from the ranks of the upper peasantry' (Brenner, 1978, p. 133). By the end of the seventeenth century, landlords controlled over three-quarters of cultivable property in England. Given this, and the powers vested in lords and their tenants under the common law, the solidification of the landlord/tenant/worker class structure was made possible.

The most significant aspect of the new class relations was that instead of proprietors virtually extorting peasants, gains in this new competitive environment were made through advances in productivity. The effect was that 'one witnesses in England, by the latter part of the seventeenth century, the emergence of a highly flexible system of agriculture' in which all the participants had no option but to respond to market pressures and 'which supported a continuously increasing agricultural productivity' (Brenner, 1977, p. 77). Competitive leases transformed agricultural production, because the management of labour slowly emerged as a task that was critical to the survival of any enterprise. Maximizing output was essential in a market economy, and this logic called on those who rented land to provide much closer attention to the details of their labourers' work. It was now important to *employ* individuals. As early as the 1620s, one steward was commenting to his lord that 'nothing is more unprofitable than a farm in tillage in the hands of servants, where the master's eye is not daily upon them' (cited in Everitt, 1967, p. 440).

Large farms managed by tenants resulted in continued alterations in the production of food in the two centuries before 1750. These changes included bringing more land into use; farming the land more efficiently through 'up and down' or convertible husbandry (a combination of arable and pasture) which increased soil fertility; introducing new fruits, vegetables and grains; growing fodder crops like clover on land that used to lie fallow; and improving irrigation and drainage. Different workers were now concentrating on specific tasks so that farms needed to hire fewer labourers to get the same amount of work done. One consequence was that between 1600 and 1800, the productivity of the English labourer rose 73 per cent while it increased just 17 per cent in France (Beckett, 1990, p. 60). The division of labour and specialization resulted in economies of scale, especially in the eighteenth and nineteenth centuries which in England witnessed 'the deskilling of a considerable fraction of the rural population' (Allen, 1992, p. 219). This

increasing productivity in agriculture was the basis for the 'take off' into the Industrial Revolution.

Robert Brenner used the Marxist theory of modes of exploitation to add four significant pieces of knowledge to the transition debate. One, it was a peculiarly English event; hence, discussions of 'Europe and the rise of capitalism' are misleading. Two, it was a phenomenon rooted in the changing social relations of production in agriculture, not industry. Three, it had its origins mainly in rural life, not cities. And four, capitalism was not an option, something that individuals chose to participate in. In contrast to this liberal myth, Brenner showed not just how some people could become capitalists (the opportunity) but why they had to (the imperative).⁵

In sum, Brenner's analysis is not simply one case study of the origins of capitalism, undertaken while trivializing the experience of 'others', yet another example of chauvinistic Eurocentrism – or worse, Anglocentrism, what Wallerstein (1992, p. 594) has disparagingly called 'the "hurrah for England" school' which supposedly serves as a cheerleader for 'English wisdom'. Capitalism in England in the early modern period is *the* case study, the original breakthrough away from feudal patterns of reproduction into an economic system that was fundamentally different from anything the world had ever seen. The next chapter, inspired by Brenner's thesis, will focus on the modification of class relations in England and the development of that country's state over a period of roughly 500 years.

3

The Development of Capitalism in England, c. 1300–1860

The main point made in this work is that English poor relief evolved side by side with the emergence of the world's first capitalist society. In order for this argument, and my critique of other writers, to make sense, it is necessary to consider the development of capitalist class relations. This chapter will be a sweeping survey of more than 500 years of English history, one that is premised on an explicit rejection of a number of theoretical observations, especially those developed as part of world systems theory and the bourgeois paradigm. The focus will be more on the prehistory of capitalism, in particular the dissolution of the bond between individuals and the land which culminated in the vast majority of the population becoming labourers in an agrarian capitalist economy. In the early modern era, only England witnessed the complete subjection of commodified labour-power to capital in the wage relation, together with the virtual disappearance of a peasantry. Here alone, the direct producers lost non-market access to land, the principal means of production. After this review, the growth of the industrial sphere of capitalism, most prominent after 1760, will be detailed. Finally, a sketch of the English state will be provided. This state was formed in a society where the 'economic' and the 'political' were being split into separate spheres. A brief account of French absolutism will highlight the different 'shape' of English governance as well as contrast the ways in which these two states regulated their class relations.

Before capitalism

It is generally acknowledged that England's social structure was fundamentally altered after 1066 in a way that made it different from its

counterparts in Europe, because every piece of land in the country had come under the control of the king. William the Conqueror was the supreme lord, and the country was parcelled out by him to roughly 1500 tenants-in-chief, who in turn subinfeuded sections to 8000 or so sub-lords. At the bottom of this hierarchy were the vast majority of the people, the peasants. They had access to the land, were involved in agricultural activities, and had an obligation to provide a substantial surplus to maintain their social 'betters'. Their work supported a triad of exploiters: landlords, who were given rent payments in cash, in kind or in labour, and who also extracted various fines and user-fees from their tenants; the church, given a tithe; and the state, the source of taxation.¹ The manor was held by the lord, and it included his farm (the demesne) as well as the other holdings (or tenures), occupied by peasants who used land. The peasants did not own land in the capitalist sense of the word, nor did the lord. Indeed, even the king did not own land. Every field was under what can be called 'multiple ownership' in that different people had socially if not legally recognized interests in the same piece of ground. In terms of class struggle, the peasants would attempt to keep as much of their production as possible and to maintain access to common lands, while their 'superiors' would try to obtain a large part of the surplus, leaving the peasants with enough to reproduce themselves, but little more. English society, then, was organized in a pyramid form with a monarch and a landed elite at the top and a mass of people at the bottom, with funds flowing from the latter up to the former.

The peasant economy consisted of families that laboured as a unit. They usually owned their means of production, mainly animals and a few simple instruments. They made their living from common land – land over which a number of people had certain, well-defined 'common rights' (use-rights) (Bush, 1992; Bushaway, 1992; Wood, 1997). 'Commonable' land included the arable fields where the grain was grown, as well as meadows, pastures, forests and 'waste' (land that was 'either uncultivated or uncultivable' and was 'used as permanent sources of grazing for livestock, as sources of fuel, and of material for repairs of houses and implements') (Butlin, 1961, p. 100). Peasants held their holdings in severalty for part of the year so that they had 'the exclusive occupation of strips of commonable land' (Butlin, 1961, p. 103) for specified periods, such as from seeding to harvest, when the crop was in the ground. During this time, common rights were not exercised over 'their' land. After the harvest, when the crop was brought in, the land became common again so that the large, unfenced (open) field could be

used to graze the herd of animals, each of which belonged to a particular member of the community. These animals would feed on the stubble left behind after harvesting or haymaking (or the grass that had grown on the area that had been left fallow for the whole year). This system meant that farmers had to cooperate with each other extensively. And, in a communal environment, there was little room for individuals to force changes in agricultural techniques on the village. Alterations could only be made if they met with the approval of most members of the community.

The open field system had its beginnings in the twelfth and thirteenth centuries (Thirsk, 1964). The plough land was divided, usually into three unfenced fields. One field was left fallow while the others were divided into strips and farmed in severalty. The fields had to be open to allow for common grazing. This feature 'has been singled out as "the determining idea" of the common field system of agriculture' (Ault, 1965, p. 5, citing H.L. Gray). The community, through the manor court, established substantial by-laws with penalties to maintain efficiency and fairness. These regulations dealt with the movement of cows, horses, sheep, pigs, geese and oxen (where they could and could not go at various times of the year); the prohibition of work on feast days; repairs to fences, hedges, highways and lanes; the cleaning of ditches; limitations on who could glean (pick up bits of grain left behind after the harvest) and precisely when they could do their work; the determination of wages for the various tasks that needed to be done; the specification of stints (the number of animals that could be put on the common, a figure that was usually in proportion to the amount of arable that a person held); the use of the wastes; the meetings of the village assembly; fines for breaching regulations; and the (often annual) election of wardens of the by-laws, typically the more substantial landholders in the community who were responsible for bringing offenders before the manor court (Ault, 1965).

In the open field system, the arable and meadow were held in severalty; they became common after they were harvested and mowed; there was common pasture and use-rights to materials on the waste; and there was a manorial court to invoke regulations and deal with disagreements among peasants or between peasants and lords. The manor courts 'established and enforced village by-laws, elected local officials, enquired into disturbances of public order, resolved disputes' and monitored the 'payment of fines and the performance [of] services owed to the lord' (Bonfield, 1989, p. 518). Lords did not just rule over their courts, however. They were bound by custom. Custom was aptly described by

R.H. Tawney as a form of collective agreement that placed restrictions on lordly exploitation. Custom was a synonym for a village's laws, in particular its agrarian by-laws. 'The custom of the manor is a body of rules which regulates the rights and obligations of the peasants in their daily life' (Tawney, 1967, p. 131). As we shall see below, creating capitalism in a world where it did not yet exist required the *destruction of custom*.

An essential aspect of this village economy was access to common rights. In general, peasants who occupied everything from large amounts of land to those with just a cottage and a small garden could claim ownership to a number of these rights. They differed greatly from one area of the country to the next, depending on local law (the custom of the manor) and they were always limited to certain people. Common rights never applied to the public at large. They were usually 'cashable' on the waste or in forests and allowed one to take products from the land that were required to meet one's needs. An individual could not remove an excess and resell it to another person for a profit. Common of pasture, be it on the open arable or on the waste, was probably the most important right, because it allowed individuals to have access to large tracts of land. This enabled them to maintain a few animals which would serve their families as a source of food, milk, wool and so on. Other rights could include: common of estovers (taking branches and bushes for fuel or to make repairs to one's house or farm), common of turbary (cutting turfs and digging peat for fuel), common of fodder or litter (gathering ferns, heather and the like as food for cattle), common of piscary (fishing), and the right to dig and appropriate materials such as gravel, sand and clay (*Report of the Royal Commission*, 1958, pp. 533–41). The use of all these rights was heavily regulated by the community.

It is important to note, despite the strong communal orientation of this economic system, that the property holdings of English peasants were not equitable. The number of acres of land and the extent of grazing rights varied significantly among individuals. Society was certainly not organized along the lines of anything resembling primitive communism. In general, a small number of peasants had abundant land. There were two more prominent sections of the peasantry, one with sufficient, the other with inadequate, access to the soil. Even by the early thirteenth century, approximately one-half of all peasants had lands that were not large enough to support a family (Postan, 1973, p. 132). Being independent would require having roughly 12–15 arable acres and enough resources to put together a plough team with oxen or horses. A large

proportion of the population, then, had extremely limited plots while a small minority were landless wage-labourers (there were probably more members in these two groups by the mid-1340s). As a consequence, supplementary work was a necessity for many people, usually in some aspect of agriculture or in the main industrial pursuits, weaving and spinning. The more prosperous peasants occasionally employed some of their fellow villagers for a few days per week. The community as a whole was rounded out by a number of individuals not directly involved in agriculture who served the general needs for woodwork, leather, metals, pottery and so forth.

The social basis of this agricultural system underwent significant changes in the years following the Bubonic Plague (1348), when perhaps more than half of the English population died in less than two years. Fewer labourers and tenants remained on the land with the result that rents went down and wages went up. Villein (unfree) status (serfdom) and labour services as a form of remuneration, both of which were prominent at the beginning of the thirteenth century, became extremely rare by 1420, and labour services were almost everywhere replaced by money rents. The population as a whole became increasingly mobile in the search for better incomes and more favourable terms of tenure. Serfdom died as 'families simply moved away from the manors which tarnished them with this unwelcome and burdensome status' (Whittle, 2000, pp. 42–3). The bargaining position of the 'lowest' men and women improved immensely in the hundred or so years after 1350 when there was much vacant land available. In some cases lords could not find any tenants to take over their land. Consequently, the end of the medieval period was a high point for those who worked the English soil, because the majority of peasants 'had more land than before, their rights to the ownership of land were better safeguarded, they paid the feudal landowners lower rents, and at a fixed rate' (Kosminsky, 1955, p. 26). By 1450, the 'separation of peasants from their land, whether by processes of social differentiation or by force, had not yet happened' (Hilton, 1975, p. 19).

The rise of agrarian capitalism, c. 1450–1760

From the Norman Conquest to the mid-fifteenth century, England's social structure was unique in Europe because 'all land whatsoever was held of some lord, and ultimately of the Crown' (Simpson, 1961, p. 2). The 400 years after 1450 witnessed a number of changes that would highlight this distinction even more dramatically as England set out on

an economic path that was fundamentally different from the one travelled on by its continental neighbours. At the beginning of this process most people were peasants, with some access to land and common rights, while possibly labouring part-time to supplement their 'earnings'. By the end of this transition, the formula was reversed: work for wages dominated people's lives and it was only a fortunate few who possessed a measure of land that would allow them to be relatively self-sufficient.

The many individuals who did hold land in the late fifteenth and early sixteenth centuries can be placed into three general categories: freeholders, leaseholders and customary tenants. Another section of the peasantry consisted of the poor who had squatted on the waste land, setting up a cottage and barely making a living. They were not protected by custom. Freeholders were distinguished by the fact that they had a fairly strong legal position, because they enjoyed the protection of the royal courts and the common law (as did lords of manors). In contrast to other peasants, both prosperous and poor freeholders tended to have greater control over the surplus they produced and they could not be subjected to arbitrary rent increases, hence this group was able to see itself through difficult economic times. The only way they could be removed from the land was if they were bought out by the lord and this, of course, could not happen without the freeholders' consent. However the vast majority of tenants were not freeholders.² A survey of 118 manors (over 6200 landholders) for this period noted that 13 per cent were leaseholders, 20 per cent were freeholders and 61 per cent were customary tenants (with the description of 7 per cent being uncertain) (Tawney, 1967, p. 25). Customary tenants were subject to local custom and the justice of the manor court. There were important distinctions among those who held land by custom. For instance copyholders, from roughly the second half of the thirteenth century onwards, had written title to their piece of land. Tenants-at-will did not have such a record and, as their name suggests, their continued access to the soil was more or less at the discretion of the lord. In addition, copyholds themselves varied in significant ways (more on this later).

Customary law versus common law

Custom was local, so the security of the peasantry depended on the custom of the particular manor upon which they happened to live. In general, on each manor, 'the crucial question is always whether the custom makes it easy for lords to get rid of tenants or whether it

makes it difficult' (Tawney, 1967, p. 297). Whenever customary tenants contested eviction in the common law courts, the judges would attempt to determine what the custom of the manor was in order to decide in favour of the lord or the peasant.³ Tenants usually argued for the maintenance of custom. Custom was seen by them as a form of protection, hence their eagerness to defend it. From the peasants' perspective, the lord was an individual who was trying to break customary rules. With the push towards the capitalization of farms in the early modern era, it was the lord 'who wants to make innovations and the tenants who resist them', so it was the latter who tended to 'gain most by clinging to custom' (Tawney, 1967, p. 130).

Standing in opposition to custom was the common law. It is difficult today when we speak of *the* law to comprehend the idea that within the boundaries of one society there could be competing legal systems. This was the case in England. It became clear under the reign of Stephen (1135–1154) – when violent, private wars broke out over rights to land – that an ordered society required some peaceful mechanism of dispute resolution. Henry II's (1154–1189) answer to this problem was the virtual invention of the common law (or 'royal law'). Now, the king would send his court around the country to hear cases, a system that was gradually set up during Henry's reign. He imposed 'royal jurisdiction, and royal law, upon criminal and civil matters that had previously been under local and feudal jurisdiction' (Berman, 1983, p. 445). His court was meant for disputes among his tenants-in-chief. However, other individuals could have their cases tried under royal law, including peasants who held freehold tenures and who felt that land had been unjustly taken from them. The accused would be ordered by writ to appear in court where the question that would be addressed was: who has *possession* of the land? What was in dispute was not 'ownership' (rights in opposition to everyone else in the world) because there were always 'divided interests in land'; there was no 'absolute, indivisible ownership'. Each parcel of land was possessed by different individuals *at the same time* and so 'was subject to the rights of superiors and inferiors in the feudal hierarchy' (Berman, 1983, p. 454). Royal law would deal specifically with major issues that had the potential to disturb the peace. There would still be a role to play for ecclesiastical and manor courts. The latter, for instance, would continue to settle disputes among the majority of peasants who were not freeholders. Because freemen had been granted access to royal courts, the status of the remaining (majority) of peasants was automatically lowered in contrast. This group – the villeins (the unfree, generally the ancestors of copyholders) – as a rule could

not access the king's justice and were restricted to the justice of the manor.

The common law altered the way in which land was viewed theoretically and, in turn, how it was used in practice. By the time copyholders were allowed to defend their claims in the common law courts (after c. 1550), 'custom had largely ceased to be a familiar notion to the common lawyers, who regarded it henceforth as a troublesome and perhaps a dangerous anomaly which must be confined as strictly as possible within harmless limits' (Plucknett, 1956, p. 312). References to 'owners' of land began to appear for the first time in statutes (1491) and case reports (1502) in the late fifteenth and early sixteenth centuries and was an established usage within about 100 years. A process was unfolding whereby custom was being 'swallowed by the common law' (Simpson, 1961, p. 20). Land was becoming a 'property', something that could be owned outright by an individual.

With the proliferation of references to 'owners', old debates were phrased in new ways. Conflicts were no longer between holders of rights of common and 'the lord of the manor' or 'he who has the freehold'. Now the protagonists were the commoner and the 'owner of the soil' or 'owner of the land'.

... By writing about property in land and ownership of land, lawyers from the sixteenth century onward invoked a stark mental image of one solitary person alone in complete and exclusive possession of one tract of land.

(Seipp, 1994, pp. 85, 87)

Custom had the force of law only in the local area where it was practiced (it was always particular or exceptional), unless it was a (general) custom of the realm, in which case it could be said to not be a custom at all because it applied to everyone – it was common law. In other words, custom *was* law; it just wasn't always *common law*. In the common law courts, the existence of a custom had to be proved because 'it claims a privilege out of the ordinary course of law' (Allen, 1964, p. 132). Custom had to pass a number of tests, including: antiquity, that it had existed from 'time immemorial', or more usually that no one alive could remember a contrary practice; continuance, that the right had not been interrupted (though the usage of the right may have ceased for brief periods of time); peaceable enjoyment, that the right had been obtained as a result of consent, not coercion; consistency, that it was

not opposed to another custom; and certainty, there was proof that the custom existed. Even if all the above were accepted, a proved custom could still be declared unreasonable if it conflicted with an 'essential legal principle' (Allen, 1964, p. 146). More so, 'essential legal principles' like 'ownership' were turning out to be those that were grounded in the discourses and practices of capitalist social relations. In addition, custom could be changed, or even destroyed, by an act of Parliament.

Leaseholders and competition

Custom was replaced by competition as *leasehold overrode copyhold*. This process unfolded throughout the sixteenth century and intensified in the early seventeenth century as customary tenures were replaced with leases. Leaseholders were individuals who rented property and, in turn, hired wage-labourers to do the day-to-day work. The first lands subjected to leases were usually the lords' demesnes, let out in large numbers after the Plague. Most of these were rented by 1450, either to one person or parceled out on separate leases to dozens of tenants. The demesnes, which accounted for 32 per cent of all land in 1279 (Allen, 1992, p. 60), were almost always rented out for money and their rents were usually not based on custom, but determined by *competition*, with the emerging capitalist market – and the social relations which undergirded that market – setting the value. Leasehold developed alongside custom, so that by the mid-fifteenth century, 'the rents of different parts of a manor are being settled on quite different principles' (Tawney, 1967, p. 146). The precise terms of a lease were the result not of custom but of a negotiation process between an individual landlord and prospective tenant. In the early stages it 'is likely that lords hoped that leaseholds could be transferred back to customary tenancy under the old terms, when the demand for land improved, whereas if customary rents and obligations were lowered, they would be more difficult to raise again' (Whittle, 2000, p. 71).

Leases were usually for a period of years or lives. Leases for three lives (say that of a husband, wife and son) could last a long time before 'falling in' (upon the death of the third person named on the lease). In extreme cases, they could be in effect for upwards of three-quarters of a century (Gritt, 2005, p. 6). Leases granted access to large tracts of land, so they were held only by those who were well-off. They were a major business undertaking and were definitely out of reach for most smallholders. In south-west Lancashire in the mid-eighteenth century, acceptance of a lease for three lives would have incurred an entry fine equivalent to about 12 years' rent. Many tenants would have had to borrow money

and so 'could find their capacity for investment in stock, tools and capital projects severely restricted, as most of their profits could be used up paying off their debts' (Gritt, 2005, p. 8). As competition intensified, especially after 1700, leaseholds granted for lives were replaced by shorter leases for a specified number of years at 'rack' (market) rents. The significance of leases was that tenants 'were obliged to compete not only in a market for consumers but also in a market for access to land', which meant 'that many agricultural producers (including prosperous "yeomen") became market-dependent in their access to land itself, to the means of production' (Wood, 2002a, p. 100).

Other lands subjected to leases were taken from the customary sector. Lords combined subsistence units, often of different types, into a single large unit for lease. They converted copyholds of roughly 20–40 acres into leaseholds for long terms; this extinguished the protection of the custom of the manor. Peasants with larger holdings were also actively involved in the consolidation of land so that much of it would eventually come under their control. Lords rarely objected to this practice as long as rents were paid on time. In the past, villein tenures had encouraged lords to have as many tenants as possible, not just for the sake of the lord's status but because each tenant was a source of revenue, in terms of rent but also various fines and fees. With leasehold, it no longer mattered if a 100-acre farm had 50 tenants or one. In fact, from an administrative perspective (not to mention the potential for profit), the fewer tenants the better.

The above-noted actions were engrossments, the amalgamation of parcels of land. Their importance rests on the fact that they marked a slow change from common, village cultivation to a method of farming that could be carried out at the discretion of an individual. The amalgamation of land also meant 'the loss of a holding which could have supported a deserving family' (Thirsk, 1967, p. 206). Now, many people 'who in earlier times would have expected to find smallholdings were forced to become landless cottagers, earning a living, if they were lucky, working for the larger farmers' (Youings, 1984, p. 303). Engrossment also tended to precede enclosure, hence further affecting the method of agriculture.

Copyholders and tenants-at-will

Some individuals lost out because of their tenuous legal relationship to property. The copyholders were among those who experienced difficulties enforcing their claims to land. Security for them depended on local custom which meant that the term of the copyhold was

either: (a) for a specified number of years, for one lifetime or for three lives, often with 'unreasonable' fines because the tenant had no right of inheritance; or (b) it was inheritable, so that the land could be taken over (typically) by a family member after paying a fine that was deemed to be 'reasonable' (an unreasonable fine would have, in effect, cancelled out hereditary rights). The main distinction between the two was that copyholds for years or lives, which accounted for roughly two-thirds of copyhold tenures, could be removed from customary terms. When copyholds for years or lives expired after the passage of time or the death of the peasant, the land reverted back to the lord. In such cases, the new tenant could be offered a lease outside custom. When this happened, the terms of the lease were sometimes similar to the rents and fines that were already being paid. The difference, however, was that the protections offered under customary law were gone. Custom had placed restrictions on procuring a larger surplus, especially if both rents and fines were fixed. Now the landlord could alter the conditions of the lease whenever it came due in line with changing market conditions, based on the potential profitability of the farm, 'whereas under copyhold he was obliged to accept whatever was customary' (Clay, 1985, p. 204). Leasehold rents tended to become substantially higher than customary rents, even when fines and other services are taken into consideration. Customary tenures would decline in number so that by the late seventeenth century they 'might have been as many as one-third' of the total. However, because they were not sizeable, 'the proportion of the cultivated area subject to this form of tenure was certainly smaller' than one-third (Clay, 1985, p. 199). The effect of socioeconomic changes, which had the backing of the common law, meant that in some places there were hardly any copyhold tenures left by 1750. Leasehold tenures were predominant everywhere in England except the county of Cumberland by the beginning of the eighteenth century (Searle, 1986, p. 109). From this point on, customary tenures 'appear to have been falling away through a process of attrition rather than through any frontal assault from landowners and the law' (Thompson, 1976, p. 331). To summarize, then, the following methods were used to bring land into the leasehold sector (with their importance differing across space and time):

- (i) the eviction of customary tenants, their subsequent conversion to or replacement by leaseholders and/or their slide into the ranks of wage labour; (ii) the financial manipulation by landlords of the fine system pertaining to the customary tenantry, such that customary

tenants were eventually evicted for non-payment, again something which transformed former customary tenants into wage labourers and allowed their replacement with leaseholders; (iii) the conversion of demesne land to land held by leasehold tenure; (iv) the failure of lines of peasant inheritance (whether through death or migration), followed swiftly by reversion to the landlord and amalgamation within the leasehold sector; (v) the purchase of customary estates by the landlord and their inclusion in the leasehold sector; and (vi) the creation of new (leasehold) farms by landlords from areas of common pasture and waste through enclosure and improvement.

(Gregson, 1989, pp. 19–20)

The other major group bound by customary law, the tenants-at-will, were even more vulnerable than copyholders, because their occupation of land was on a yearly basis and was not supported by a formal agreement. They could be evicted at the end of the harvest, given proper notice. In an even worse position were the cottagers, squatters and other agricultural wage-labourers who did not have land as part of the open field system. Together, these three groups formed one-quarter to one-third of the rural population in the late 1500s and early 1600s (Lazonick, 1974, p. 19).

Enclosure and social differentiation

Peasants also lost access to land as a result of enclosure. 'To enclose land was to extinguish common rights over it, thus putting an end to all common grazing' (Thirsk, 1967, p. 200). If it was the arable that was enclosed, it meant that an individual's cow would not have access to the stubble that remained after the harvest. If it was pasture or waste that was involved, it meant 'the appropriation to one person of land which had previously been at the disposal of the whole community throughout the year' (Thirsk, 1967, p. 201). All enclosures, then, had a detrimental effect on the village economy because they abolished common rights. The struggle over who should have access to these rights is as old as the rights themselves. Taking products from the forests, for example, was under attack as early as the thirteenth century (Birrell, 1987). Timber was used for buildings, furniture, fuel, fencing and making items like carts and ploughs. The woods also provided food for animals; pigs especially liked to eat acorns and beech mast. Access to the forests was important for the peasantry. Landlords, recognizing a valuable resource, kept a close watch, often charging 'trespassers' with the 'theft' of wood and other materials.

Substantial enclosures were implemented during the years of growth in the woolen trade when some lords chose to convert arable lands to pasture (for sheep), especially in the period from 1480 to 1520. These early enclosures did not contribute to a massive, forced 'depopulation'. They often occurred in areas where, in the post-Plague era, few labourers remained. These new farms were large, on the order of 200–300 acres. One of the easiest areas to enclose was the common waste because it was not split into numerous narrow strips. The absence of this field would eventually prove to be a serious blow in areas that still had small farmers, because they lost access to a large grassland which was necessary for grazing a few animals.

In the late fifteenth century, farms of more than 250 acres were slowly starting to appear, yet at this time 80 per cent of farmers would not have had any substantial surplus to bring to market (Wrightson, 2000, p. 53). However, in places where the lords' demesnes had been rented out, a 'radical differentiation' was emerging between leaseholders and those who held land principally by custom (Wrightson, 2000, p. 100). For example, on the manor of Hevingham Bishops (Norfolk) in 1573, there were 39 tenants on 600 acres of land. The average holding was 15 acres, but the four richest tenants held a total of 247 acres (41 per cent) (Whittle, 2000, p. 182). The largest landholders were more likely to hold some of their land by leasehold and were more likely to also hold land, in addition, by custom and by freehold. In contrast, on manors in medieval Norfolk (c. 1270–1334), what is notable is the small average landholding (typically between two and six acres), with no tenant having what might be described as a 'large' holding (Whittle, 2000, p. 191).

Importantly, and not surprisingly, 'the new structure of landholding was maintained in the sixteenth century, despite the population growth experienced in that century' (Whittle, 2000, p. 195). With the population explosion, demand for land increased, but by this time the 'process of differentiation in holding size rendered the absorption of increased numbers more difficult' (Wrightson, 2000, p. 135). An indication of this is the fact that a skilled labourer in rural Norfolk in 1520–1529 would have needed to work 68 days in order to purchase one acre of land. In 1540–1559, he would have had to work 270 days to make the same purchase (Whittle, 2000, p. 244). For many individuals, land was increasingly moving out of reach. In sum, the 'large proto-capitalist farmer was becoming even more a feature of the English social landscape by the 1560s than had been the case half a century earlier' (Wrightson, 2000, p. 140).

After the 1590s, the enclosure process was again ramped up, with 24 per cent of land privatized between 1600 and 1700 (Wordie, 1983, p. 502). Enclosure of the waste, in particular, 'reduced a good many to partial dependence upon hand-outs' (Sharp, 1988, p. 133). In these cases, the poor were occasionally given allotments, tiny plots of land upon which one could grow some food, or they may have received proceeds from a charity that was run by the 'better sort'. Trustees sometimes held land that had been enclosed from the waste with the profits going to help the poor who had lost access to a common. For example, money was used to buy coal for individuals who were no longer permitted to take wood from the waste. This angered commoners who were hostile to any notion of charity, because it implied that they were incapable of (or unwilling) to earn an independent living. Many common rights still remained in the 1700s as did the struggle amongst the poor to maintain them. E.P. Thompson (1993, p. 104) has argued that 'there cannot be a forest or chase in the country which did not have some dramatic episode of conflict over common right in the eighteenth century'. This struggle was rooted in competing understandings of the proper use of land. Over the course of the eighteenth century (and earlier outside Cumbria)

a wholesale transformation occurred in the conception of the rights of landownership. There was a perceptible change in ideas relating to property from a belief in the 'limited and not always saleable rights in things' to notions of 'unlimited and saleable rights to things'. Landowners were no longer prepared to countenance any constraints over their rights to the complete control of, exclusive benefit from, and total freedom to alienate their property. So the 'coincidental use-rights' of customary tenants, such as the pasturage and access to the other resources of the common lands, were increasingly regarded as intolerable and illegitimate, and therefore as open to attack.

(Searle, 1986, pp. 125–6)

The enclosure and engrossment of lands was critical to the establishment of capitalism in English agriculture. This change in the ownership of property was a singularly important social event which, as it turns out, was unique to England. The separation of labourers from their means of production was an essential aspect of the dissolution of previous social relations because it involved a change in the form of labour-power which, under capitalism, became a commodity to be bought and sold according to the competitive supply and demand of the wage market.

The peasants who were squeezed off land typically found work in agriculture as servants, gardeners, carpenters, ploughmen and so on (Everitt, 1967, p. 430). A few others were employed in spinning and weaving. Many people were becoming noticeably dependent on wages for their reproduction, especially in the period from 1570 to 1640. For example, in 1560 about 12 per cent of English peasants were employed as labourers because they did not have farms, increasing to between 40 and 50 per cent by 1630 (Lachmann, 1987, p. 17). Towards the end of the century, this growing body of workers was suffering greatly and the problem of poverty, which was becoming more noticeable over time, began to occupy the attention of scholars and politicians.⁴ Poverty was multiplying, as William Harrison put it in his *Description of England* (1577), because 'the ground of the parish is gotten up into a few men's hands' with the result that 'the rest are compelled either to be hired servants unto the other, or else to beg their bread in miserie from doore to doore' (cited in Wrightson, 2000, p. 149). Real wages steadily declined, falling by 50 per cent between 1500 and 1640 to at or below subsistence levels. In addition, more people were without access to land. For instance, roughly 360,000 peasants held just a cottage with a garden or croft in 1550, rising to approximately two million by 1640 (Lachmann, 1987, p. 129). One final telling sign of social change from this era was the Midlands Revolt of 1607 which reached a crisis point on June 8 at Newton, Northamptonshire, when a thousand men were defeated by a force of armed gentry. About 50 rebels were killed; a few others were executed (Martin, 1983, p. 167). This would turn out to be the last significant act of rebellion on the part of the English peasantry.

Capitalist agriculture

The changing nature of English agriculture became clearer in the period after 1650. Improvements were made in husbandry, drainage, irrigation, fertilizers, crops and breeds of animals. Farmers began to actively search for ways to reduce costs – especially those related to labour – because they had to respond to the grain market that had slowly developed over the past two or three hundred years and which was becoming highly competitive, with this type of cost-cutting activity intensifying after 1700 or so. Landlords, too, were cognizant of the new realities of exploitation. They would sometimes lower their tenants' rents, accept in-kind payments in the form of grain, pay for needed repairs to buildings, pay some of the taxes due, and occasionally write-off arrears accumulated during difficult times. In this way, good tenants would remain to run the farm. Landlords were involved in 'creating the well-tenanted

estate, with large farms of 200 acres or more, capable of “holding the rent” (Coleman, 1977, p. 129). The result of such change was that by 1640 something historically unprecedented was occurring in England – overproduction: too many goods and not enough consumers. By the mid-1650s, ‘the government was obliged, first to intervene to encourage all food exports, then to pay bounties to farmers on grain exported, and later to allow drawbacks of tax on exported malt’ (Thirsk, 1984, p. xxiii). It was after 1640 that we see ‘a parting of the ways’ between ‘the more efficient and the less efficient farmers’ (Thirsk, 1984, pp. xxiii–xxiv). Agricultural prices levelled off, forcing a rise in productivity and the move to increased diversification.

By 1700, England’s capitalist farms were vastly different from anything that existed on the Continent, where agriculture was hampered by ‘chronic indebtedness, exhausted soil, paltry grain yields, uneconomic fragmentation of holdings and population pressure [which] spelt mass misery and periodic disasters’ (Porter, 1990, p. 12). Large farms organized around an imperative of growth meant that a subsistence crisis would never happen again in England. Conflict and struggle would no longer revolve around the absence of grain, but whether or not the price of grain was just. Reducing costs and generating improvements went on throughout the eighteenth century with the result that small farmers continued to be forced out, including those who held by custom. They, of course, were not immune to the pressures of the market. Importantly, it was not just copyhold that was becoming insecure. In a competitive economy, *all* forms of tenure lack security. Even absolute title does not guarantee ownership of a property in perpetuity. One can lose control of means of production, even those owned outright, if one fails to compete. For the time being at least, the ‘innovators – the great landlords, in league with big tenant farmers to whom they granted long leases – had the required capital to press ahead’ (Porter, 1990, p. 205). Large enterprises ‘drove inefficient and wasteful petty farms out of business’ so that many uncompetitive smallholders had ‘to throw up their little tenancies and keep on only the cottages they needed to live in as servants and labourers’ (Kerridge, 1973, p. 104). Occasionally, this process was pushed along by richer peasants, some of whom were actively breaking communal regulations, especially in areas where manorial courts had atrophied. This happened in the 1720s and after in the county of Cumberland (Searle, 1993). With the common under attack, peasant opposition was gradually reduced and enclosure, the final nail in the coffin, proceeded apace, disagreements existing only among the larger landowners over who would get what.

Eventually, a critical mass of tenants found that their production decisions were being made *by* the market. In other words, they were obligated to respond to market demands in order to continue in business. According to William Lazonick (1974, p. 27) this necessity to compete was established between 1650 and 1750, so that by the end of this period 'the social relations of capitalist production – landlord, tenant-farmer, and wage-labourer – were emerging as dominant in the agricultural sector'. Robert Brenner (1978, p. 133) dated this transformation even earlier. He argued that by 1640 English landlords 'presided over and benefitted from the three-tiered system of social relations which has been classically identified with capitalist agriculture'.⁵

By 1750, at least half the population held little or no land and so had to obtain employment. Perhaps the main occupation at this time was the servant in husbandry. These were young, unmarried men and women. Just over half of all youth (aged 15–24) in England worked as farm servants in the early modern era. The age of entry into service was ordinarily between 13 and 16 years while the typical leaving age was 20 years, though it was not unusual for servants to still be working at the age of 25 years. This was a 'transitional occupation' between childhood and adult independence (Kusssmaul, 1981, p. 4). Their annual (usually verbal) contracts with farmers distinguished servants from regular labourers. Servants prospered especially where the labour supply was low. Farmers had to guarantee that workers would be available when needed, and the best way to accomplish this was to offer an annual contract. Servants were also distinguished from labourers by their residence in the farmhouse, a valuable addition to the farmer's family, and their employment on continuous tasks, such as caring for animals. They were normally paid in kind rather than cash, occasionally being given money or livestock in addition to food and lodging. Sick and injured servants had to be cared for by the farmer. In addition to servants in husbandry, casual labourers, like mowers and thatchers, were generally hired during the harvest. They could be taken on for as little as one day at a time. Outdoor labourers, often cottagers with a garden or allotment, typically worked for a number of farmers doing task or piece work. Employment was also expanding in other areas, namely domestic servants, journeymen, spinners and weavers.

The bargaining power of all these labourers declined significantly during the latter half of the eighteenth century. In particular, guild restrictions, which protected mostly urban workers, were falling into disuse. In the countryside, the continued abrogation of common rights was making life difficult for greater numbers of people and the removal

of these rights forced many individuals to look for work in low-wage industries. As well, farmers were slowly abandoning the tradition of hiring servants for the usual contractual period of one year. The certainty and security associated with service was being replaced by occasional hiring during peak seasonal activities, such as the harvest. Sometimes people would be taken on for just a day or two then let go because their small chore had been completed. Also, with less unenclosed land available, those leaving service had little hope of being able to set up a cottage. They were, as a matter of course, going to end up as wage-labourers, so the position of servant in husbandry lost its attraction because it ceased to be a step on the ladder of upward mobility. Service declined dramatically in the south and east between 1750 and 1815, especially after 1790. Large farms, most notably those that had recently converted to (or back to) wheat production, did not require many 'constant men'. The high cost of wheat, hence the high cost of feeding and maintaining servants, also encouraged farmers to hire day-labourers. The glut in the labour market after the end of the Napoleonic Wars in 1815 marked the death knell for agricultural service. 'The underemployment of servants was replaced by the unemployment of labourers' (Kusssmaul, 1981, p. 125). The result of this occupational restructuring was an increase in rural poverty since there was not enough work for all who needed it, and because work, when it could be found, did not pay well.

In the century after 1750, full-time wage-labour, when it was available, slowly replaced the usual combination of domestic industry, part-time agricultural work and the benefits received from common rights. Few people had enough land to enable them to be self-sufficient outside the social relations of agrarian capitalism. Lazonick (1974, p. 25) concluded that by 1790, in England, 'an independent peasant class, producing their own subsistence with their own labour on their own land, was almost extinct'. Eric Hobsbawm and George Rudé (1968, p. 23) summarized well the English difference when they noted that, in the early nineteenth century, the rural part of the country 'presented a unique and amazing spectacle to the enquiring foreigner: it had no peasants'.

Industrial capitalism, c. 1760–1860

In the period from roughly 1760 to 1840, the capitalist or 'market' economy for wage-work was completed and the 'half-free' forms of labour that had distinguished the previous hundred or so years disappeared. A major contributor to this development was enclosure by acts of

Parliament. Two hundred and eighty of these acts were passed between 1700 and 1760 and over 4000 between 1760 and 1840, when more than 20 per cent of England, or roughly 8.4 million acres, was privatized. These lands were generally outside the arable. By the first decades of the nineteenth century, it was mostly the waste that was being enclosed (Chapman, 1987, p. 34). By 1700, much land had already been enclosed or engrossed, so a substantial number of peasants had already been dispossessed. Despite this, it would be a mistake to overlook the effect of parliamentary enclosure on changing the lifestyles of millions of people, especially the enclosure of the remaining open fields in the south and east after 1780.

A parliamentary enclosure would usually have its roots in a petition presented by a significant landholder who could, while facing resistance, still fairly easily push others off the land. This petition would generate a bill and a parliamentary committee would then study the proposed enclosure. At this point, the poorer members of the community could appeal the proposal, but this usually required hiring a lawyer and appearing at a Parliamentary hearing. The odds of preventing an enclosure were overwhelming, so many groups did not bother to take this step. If the bill was successful, as they generally were with few exceptions, an act of Parliament would result. A group of government officials would then be sent to the area to redistribute the land in question. Those affected would usually receive limited amounts of compensation, but it was not enough to make up for what they had lost. In accordance with a similar story that had been played out over the course of a few centuries, many smallholders were forced off the land as were most cottagers and squatters, who were almost never consulted in this process.

For many families at this time, common rights were still valuable and their continued abolition pushed people further into proletarianization, which involved the 'gradual elimination of sources of family subsistence other than wages' (Humphries, 1990, p. 19). The smallest amounts of land could allow a few individuals to live fairly independently. For example, in the mid-eighteenth century, 'as little as two or three acres would provide as much as a third or a half of a family's food' (Neeson, 1993, p. 312). A stake in preserving the status quo was to be had even by those who held only a small garden with accompanying common rights. The loss of the soil and the ability to take some of its benefits hit this group hard. For instance, they would no longer be able to maintain a cow. At this time, because many people did not have enough land to graze animals, milk was beginning to disappear from the diet

of the poor and was being replaced by tea, which helped in the digestion of coarse bread. Keeping a cow meant that individuals could also produce goods like butter which they could consume themselves or sell on the market. In the last decades of the eighteenth century, if a family had access to a common, 'the annual income from the cow was often more than half the adult male laborer's wage' (Humphries, 1990, p. 31), somewhat less if they had to rent a cowkeep on enclosed land. This practice was a form of welfare, especially for widows. Poor law guardians occasionally 'purchased cows for older women to try to keep them off the rates'; however, in order 'for the cow to be a functional equivalent for social security, continued access to land was required' (Humphries, 1990, p. 39).

Other common rights were also being dissolved. In many areas, fuel could no longer be picked up off the common. This proved to be a particularly expensive item for people on the economic margins, and fuel payments often appeared in poor law accounts shortly after successful enclosures (Neeson, 1993, p. 279). To give one example, in the parish of Frampton, fuel and manure were gathered from the pasture in Holland Fen. Enclosure resulted in the tripling of poor relief expenditure over the course of a few decades. The highest poor rate per acre 'ever recorded in the vestry book was 19d. in 1769, the year the fen was enclosed' (Hindle, 1998, p. 85). Furthermore, gleaning was made illegal under the common law. This did not eliminate the practice; however, it would now be more of a charity, granted or removed at the will of the landowner.⁶ In places where access to land was restricted, it served as yet another significant loss for the poor, since the gathering of bits of wheat that had fallen on the ground could feed a family, often for a few months of the year. In the early 1830s, gleaning could represent between 6 per cent and 9.5 per cent of a labouring family's annual income. For some, like a woman on poor relief, it could mean an increase in earnings of more than 25 per cent (King, 1991, p. 463). In addition, taking products from the forests was being prohibited by the owners of property. In the end, the rights and livelihood of the poor, especially their crucial access to a common, paled in comparison with the continued needs of England's capitalist agriculture. Nevertheless, the struggle to monopolize the means of production would prove to be a protracted one for England's landed elite. 'It would take many years, if it happened at all, before this idea of *right*, no matter what its origin, was worn down into a privilege, and before commoners would accept that privileges could be taken away' (Neeson, 1993, p. 163).

The few remaining agricultural labourers in the nineteenth century were reduced to allotments, small pieces of land that were usually less than a quarter-acre. Individuals typically produced potatoes and a few other vegetables on their plots. This was of great assistance to the household and gave people something to do outside the harvest. These allotments 'performed a role analogous to that of the common rights enjoyed before enclosure' (Moselle, 1995, p. 483), such as raising family output and providing work for women and children. The use of allotments was not widespread, though, because it was often cheaper for farmers to pay for token amounts of poor relief through their local taxes instead of renting out land at minimal rates, especially in the period from 1760 to 1815 when wheat prices were high. Also, farmers did not like to rent land because this gave labourers greater independence.

The wages of the expanding proletariat did not make up for the loss of land they endured. The result was inadequate diets for many, since goods like meat, milk and cheese were too expensive for the poor. Food riots became more common, with 1795 marking a peak year for disturbances. E.P. Thompson (1968) has suggested that the food riot was a significant way for poor people to enforce justice. Riots occurred when prices, especially for bread, rose too high or when the poor detected what they perceived as unfair marketing practices, such as a farmer refusing to sell grain in small quantities directly to those with low incomes. Any break with the accepted norms of buying, selling or pricing could serve as a catalyst to riot. The goal of the poor was to protect their rights as consumers. A riot usually took the form of a group of people taking possession of a farmer's grain. The grain was not simply stolen but rather was sold in the marketplace at a 'just' price with the money later being reimbursed to the farmer.

Thompson (1993, p. 189) noted that while these price riots were the principal form of agitation in the eighteenth century, the demand for higher wages would become the focal point of class conflict after 1800 or so. The year 1795, which was one of destitution for many, could probably stand in as the date of this watershed. At this time, ideas for setting a minimum wage were debated in Parliament. One proposal, Whitbread's Bill, would have had the earnings of labour fluctuate with the price of corn, but it was never passed. This transition to wage-based struggle was evident by the time of the Swing riots in the southeast in 1830. A number of areas were affected by arson, robbery, extortion and the breaking of hundreds of threshing machines, which tended to eliminate winter work. This was an outburst against mechanical objects that were, in the eyes of the poor, destroying employment. These rioters

did not call for lower bread prices nor did they form a 'back to the land' movement. Instead 'the almost universal demand was for higher wages, for better employment and/or for improvements in the system of social security (i.e. the Poor Law)' (Hobsbawm and Rudé, 1968, p. 16).

The quest for higher wages and fairer working conditions played itself out most prominently in the burgeoning industrial sector. Work outside the sphere of agriculture had existed in England since the middle ages. The woolen industry, for one, was important from the fifteenth century on, usually as a form of part-time work. The number of other professions was extensive and included, among others, bakers, brewers, masons, weavers, tailors, carpenters and blacksmiths. More capital-intensive industries were developing, especially the mining of tin, lead, coal and copper. However, in the period up to 1650, the larger industries, though often centralized in one location outside the home, employed only 'a tiny fraction of that growing population which, overwhelmingly, found its livelihood in agriculture, textiles, and sundry trades and crafts, from fishing to shoe-making' (Coleman, 1977, p. 89). Machines were gradually being introduced after 1650, and there was a movement towards expanded industries, notably in coal mining. Some parts of the nation, especially in the north, were gaining a reputation as industrial areas. Still, small industry heavily dominated this sector of the economy.

From the fifteenth right down to the nineteenth century, there was in England 'an expansion of rural industry without major changes in the techniques or scale of production' (Houston and Snell, 1984, p. 473). In most communities, then, a combination of agriculture and industry developed over time, which varied in terms of balance and specialization from one region to the next. The result was that many farmers were also artisans, with perhaps half of all farmers in the seventeenth century also working at a craft. This life of 'dual occupation' meant that people in these villages and towns were relatively well-off; the different fields of work 'kept many above the poverty line who would have been unemployed' in places dominated by agriculture (Hey, 1972, p. 22). Not everyone was absorbed into these proto-industries, however, leaving Pat Hudson (1992, p. 82) to comment that 'in many regions agricultural reorganisation and population growth created a society of paupers not proletarians'.

This industrial sector of the rural economy is often referred to as 'domestic' or 'cottage' industry, because 'most or all of the major processes of production were carried out in the houses of the workers themselves' (Swain, 1986, p. 150). In these industries, the family worked as a unit, with men toiling in the fields, in addition to carrying out

another pursuit like smithing, while the women, girls and boys were typically occupied by carding, spinning, straw plaiting, lace making, knitting and so on, as well as cooking, cleaning, and taking care of infants and toddlers. Industrial work was frequently done on a 'putting-out' system where the household would be provided with raw materials, wool or yarn; work would be performed in return for wages; and the merchant or master-manufacturer would keep the final product. Work was also carried out by the likes of independent clothmakers, weavers and artisans who 'employed' their own family members, or by individuals who worked for another person in the community.

Throughout the eighteenth and into the nineteenth centuries, this dual economy was becoming more difficult to sustain because of an increasing population and the drive by landlords and tenants to complete the enclosure process. In addition, industry itself was being drawn into the capitalist orbit, so that 'the long-run trend was for these smaller producers to be bankrupted and driven into the ranks of the proletariat' (McNally, 1993, p. 30). The result was profound changes in rural relations of production, with increased poverty and exploitation, changes in family life and the sexual division of labour, alterations to habits of leisure and consumption, and a pronounced division between the home and the place of work.

With domestic industries, the unit of production was small. This was to change in the period 1780–1880 when larger workplaces became the standard, with hundreds or even thousands of employees. Capitalists had slowly developed an awareness of the profits to be made in enterprises that were based on a detailed division of labour. As well, complex machinery was extremely costly and this necessitated centralization to an unprecedented level; the old domestic industry was being made less feasible. Small enterprises could no longer compete with their more extensive counterparts. Around 40 per cent of the population was working in industry in the first decades of the nineteenth century, though it would be another sixty or so years before masses could be found toiling in huge factories. 'Most of these workers would, moreover, still in 1820 be working in outwork occupations and in largely rural surroundings' (Foster, 1974, p. 19). Even in the 1840s, observers 'were still exclaiming at the novelty of the "factory system"' (Thompson, 1968, p. 208), since it tended to be confined to the production of textiles. But this was about to change quickly.

A few statistical indicators show the relative speed with which the Industrial Revolution burst onto the scene. For example, in the early 1820s, Britain exported 300,000 yards of cotton piece goods. This rose

to 2.5 million yards by the late 1860s. Iron and steel exports stood at 77,000 tons in the 1820s, rising to 1.8 million tons by the 1860s. The nation had just 98 miles of railway track in 1830. Barely 40 years later, in 1871, the total was 13,400 miles (Evans, 1983, pp. 396–7). This massive output and reorganization of the economy, concentrated in the years 1830–1880, was made possible by *the capitalization of agriculture that had been taking place since the sixteenth century*.

E.P. Thompson (1968, p. 212) observed that ‘the outstanding fact of the period between 1790 and 1830 is the formation of “the working class” ’ (and we might want to extend the latter date down to the 1880s). This creation, he argued, was especially evident with regard to consciousness. The members of the working class recognized that they had a common interest which was made manifest in political organizations and especially trade unions. It is not long into the nineteenth century before we can identify other features of a highly developed capitalism. One was the repeated cycle of boom and bust, as large masses were forced into unemployment or short-time during downswings in the economy. Another characteristic was the spectacular growth of urban areas such as Birmingham, Bradford, Leeds, Liverpool, London, Manchester and Sheffield. With each passing decade, competition intensified. More machines were introduced, often requiring labourers with rudimentary skills. Work was managed and measured to a greater extent as the control of time was regularized, resulting in numerous conflicts over the design and implementation of labour processes. The era of the craftsman, self-controlled and somewhat independent, was over. It was not uncommon for factories to be in motion 24 hours a day. Women and children, the cheapest forms of labour available, were employed outside the home in vast numbers (Berg and Hudson, 1992). In the first half of the nineteenth century, in what *appears* to be the blink of an eye, one country – and one country only – had transformed itself into the ‘first industrial nation’ (or, more accurately, the first full-fledged capitalist society). The ‘Industrial Revolution’, then, should be seen more as an *ending*, not a beginning, in the evolution of the English economy.

By 1850 it was clear that England had a social structure and a method of production that was different from anywhere else in Europe. This was true with respect to the low percentage of England’s national product accounted for by agriculture and the high percentage due to trade and transport, the smaller portion of its labour force that tilled the soil, and the large size of its farms. The uniqueness of the English case is more clearly demonstrated by using France as a point of comparison. First, the components that contributed to the wealth of each nation

varied. Throughout the nineteenth century, there was a growing divergence in the portion of each country's production that was accounted for by primary industries (mainly agriculture). By the 1880s, the figures were 41 per cent for France and just 10 per cent for Britain. There was also a noticeable difference in the trade and transport sector (railways, canals, shipping and so on). The figures in 1871 were 22 per cent for England and 7 per cent for France, an indication of Britain's greater industrial development (*Annuaire statistique de la France*, 1966, p. 555; Mitchell, 1988, p. 822). Second, there were also variations in the agricultural component of their labour forces. By the turn of the twentieth century, about one out of every twelve workers in Britain was employed in the primary sector compared to almost half in France. The percentage employed in agriculture, forestry and fisheries in post-World War II France, just over one-third of the total, was similar to that in Britain at the turn of the nineteenth century, roughly 140 years earlier (*Annuaire statistique de la France*, 1966, p. 107; Mitchell, 1988, pp. 102–4). Third, with regard to farm sizes, the English case was again contrary to the one across the channel. Less than 2 per cent of holdings in France in the 1880s were over 50 hectares. This compares with England in the 1850s where almost 80 per cent of the cultivated area was to be found on farms of over 100 acres, with 34 per cent on farms in excess of 300 acres (*Annuaire statistique de la France*, 1966, p. 178; Beckett, 1983, p. 325). By this time in southeast England, 'the family farm was a very unimportant feature of both the social and economic landscape' (Shaw-Taylor, 2005, p. 189).

It is the fundamental differences in the social relations of exploitation in the two countries that account for the contrast in the statistics noted above. The English figures for the nineteenth century are unusual when compared to any other European nation because they reflect the culmination of a 500-year history that saw peasants become wage-labourers. A mass of people with possession of land and access to a common were pushed off the soil, not only as the result of coercive dispossession (enclosure), but also because of economic pressures in a competitive environment produced by capitalist property relations. This was a slow movement which received its final push in the period after 1760 as a result of parliamentary enclosure and was essentially complete by 1830. It is crucial for an understanding of western history to realize that this transition to capitalism was well on its way to maturation in England before it had hardly begun anywhere else in Europe. It is important to note as well that this historic break occurred in tandem with the rise of a peculiar kind of state, a topic to which we now turn.

The English state and privatized exploitation

At some point in its development, beginning in the early modern era, England had a form of state that was conducive to the creation of capitalist social relations. Only much later, perhaps by the turn of the nineteenth century, did it have what we would readily identify today as a 'capitalist state'. This state was constructed through a series of "long waves" of revolution in government' (Corrigan and Sayer, 1985, p. 11) and it changed over the course of 500 years as part of a symbiotic relationship with private social-property relations. Capitalism, it can be said, 'conditioned the course of political evolution in early modern England' (Brenner, 1989a, p. 274) while, conversely, the essential features of the English state made it possible for capitalism to continue to progress while various forms of peasant-based societies flourished elsewhere. According to Ellen Wood (1991, p. 27), the 'English pattern of state-formation was associated with the evolution of a ruling class which did not depend either on feudal "extra-economic" powers or on the centralization of these powers in the tax/office nexus of absolutism'. The creation and usurpation of wealth in England in the early modern period was carried out in a manner that was without parallel on the Continent, where state officials were often significant exploiters, as opposed to the English case where exploitation was controlled by private landlords and farmers.

The political corollary of these distinctive economic relations was a formally autonomous state which represented the private, 'economic' class of appropriators in its public, 'political' aspect. This meant that the 'economic' functions of appropriation were differentiated from the 'political' and military functions of rule – or, to put it another way, 'civil society' was differentiated from the state – while at the same time the state was responsive, even subordinate, to civil society.

(E. Wood, 1991, p. 28)

Because state formation is an extended process, we must avoid the tendency of classifying forms of government as clearly 'feudal' or 'absolutist' at one point and, a short time later, distinctly 'capitalist'. Recognizing that non-capitalist societies were characterized, above all, by the conflict between lords and peasants, it might be better to ask the following questions: What was the relationship of the state to the nation's peasantry, and how and why did this change? Were there differences over time in the degree to which a state, through its laws and policies, tended to support keeping peasants on the land? Did the central state, for example,

deal in a half-hearted manner with the erosion of communal rights and regulatory practices, as happened in England, where the last anti-enclosure statute was passed in 1597 and the first pro-enclosure statute was passed in 1624 (Wood, 2002, p. 92)? Or did royal power tend to side with the peasants in their opposition to lords who wanted to alter agrarian social relations, as was the case in France? Until at least the mid-eighteenth century, French peasants had support in their struggle against landlords who wanted to encroach upon common lands. This assistance came 'from the monarchy and its officials, who cherished rural groups as a source of taxes and soldiers' (Bloch, 1970, p. 188).

France's absolutist state

The uniqueness of the English state and its potential contribution to the emergence of capitalism can be highlighted by contrasting it with the governance of France. Paris became the home of the crown for the area that would eventually become France after Hugh Capet was elected king in 987, though at that time he and his descendants had only nominal control outside the small royal domain of Ile-de-France. In the rest of the country, over the next 300 years, royal power (the *bannum*, or ban) fell into the hands of territorial castellans, who used these extensive rights to exploit peasants by applying new taxes, duties, obligations and fines. After c. 1200, as royal authority developed, centralized state burdens were piled on top of these local, seigneurial exactions (Comninel, 2000). A long process then began whereby the crown attempted, with varying degrees of success, to take back certain aspects of the *bannum*, the sovereignty that had been largely fragmented. Hence, the central state in France was constructed 'to a significant degree in conflict with and at the expense of the powers, property, and privileges of local rulers and proprietors' (Brenner, 1993, p. 654).

By the 1580s, after hundreds of years of annexing territories, most of what is now France formed a recognizable country, with the king acknowledged as its head, though much authority remained in local areas. This continuing diffusion of power resulted in battles, mainly over the question of who had the ability to tax, between the king and local institutions, such as the 12 Parlements (law courts); regional financial districts, the *généralités* (about 25 by 1650); and a few provincial estates (*pays d'Etats*). The king had to deal with these bodies, because local cooperation was required if certain revenues were to be raised effectively. In return for money or assistance, though, the crown often had to concede to the localities various privileges and exemptions which could not easily be taken back once they had been surrendered.

The French, then, inhabited a country that, unlike England, had competing areas in opposition to each other. France suffered from an 'intractable regionalism institutionalized in the form of local law and regional assemblies and sustained by powerful local notables' who often fought against royal authority, so politics 'became a struggle between a national administrative apparatus presided over by the king and the well-entrenched forces of particularism' (Brewer, 1989, pp. 6–7). As a result, especially in the seventeenth and eighteenth centuries, the monarchy engaged in a project to centralize juridical and taxing powers in order to impose control on the periphery. This was a difficult task for the crown because the forces of centralization were extremely weak. For instance, the Estates General in Paris had met for the first time in 1302, but it was rarely called, meeting only a handful of times, and it remained dormant from 1615 to 1789. It was meant only to give advice to the king; it did not have legislative powers. The monarch did not need its approval to create new taxes. 'Political organization at the provincial level was too strong to enable a central representative body to dominate political life' (Clark, 1995, p. 41). The insignificance of the Parisian body was acceptable from the perspective of the crown since no national institution of nobles or landowners was available to challenge royal power. However, the fact that the Estates General failed to control the regions meant that it could not construct 'a plausible claim to speak, like the English parliament, for the entire "community of the realm", nor was it able to establish a monopoly of approval for taxes' (Brewer, 1989, p. 6).

One of the most notable effects of the competition for peasant-produced surpluses was the creation of state offices, which aristocrats in France would eventually come to own in large numbers. The crown generated revenues from the sale of offices, beginning in the fifteenth century. The purchaser paid large sums of money to the king in return for a regular salary and/or pension. After 1604, these offices could be made hereditary if the buyer was prepared to pay an annual fee (*paulette*), a transaction which solidified the notion that public functions, such as collecting revenues, were a form of private property that could be bought and sold in the marketplace. This made them exceedingly difficult to abolish once they had been created. Office-holders working in the areas of justice and finance often reaped the rewards of extracting various commissions, duties and taxes from the peasantry, hence a great deal of 'public' money never found its way into the government's coffers. In order to meet its salary and pension obligations, the crown often had to create and sell even more of these positions, so their numbers

spiralled accordingly. These offices, because of their revenue-generating capacities, became a major source of contention among ruling classes in France, especially in the years leading up to the Revolution. They also weakened royal authority, because powers were dispersed among self-interested individuals so that a 'gradually increasing portion of the ownership of the state was lost to the monarch and invested in office-holders over whom he did not have complete control' (Clark, 1995, p. 42).

The French state was absolutist, 'operated by the patrimonial monarch and its following, without reference to representative institutions, on the basis of its independent revenue and autonomous financial, judicial, and military administration' (Brenner, 1993, p. 714). This was a form of lordly class organization that differed substantially from its counterpart in England. Lords in France witnessed a great reduction in their seigneurial revenues in the late medieval period, a consequence of the fact that those who worked the land had gained significant rights to the soil, including fixed dues and rights of inheritance. The response in France was the growth of the tax/office state, so that 'a transformed lordly class was able to reproduce itself on the basis of a now centralized system of administration' (Brenner, 1996, p. 257). Anderson (1974, pp. 18–19) concluded that the absolutist state in the west 'was a *displacement* of politico-legal coercion upwards', a '*redeployed and recharged apparatus of feudal domination*, designed to clamp the peasant masses back into their traditional social position'. However, this state 'did not so much suppress feudal principles as *compete* with them by reproducing them on a national level, replacing the old prerogatives of lordship with state office as a source of personal wealth' (E. Wood, 1991, p. 61). The effect of this was that the French state became 'a private resource for public office-holders', a form of 'politically constituted property', where 'peasant-produced surpluses were appropriated in the form of tax instead of rent' (E. Wood, 1991, p. 23), a case where the state and the exploiting class had become 'two sides of the same coin' (Brenner, 1990, p. 171).

In addition, the state and the *exploited* class were also two halves of one coin. Government officials were using the positions they had purchased to generate wealth by extracting significant amounts of revenue from an impoverished peasantry. At the same time, the state was 'instrumental in securing and protecting peasant proprietorship (and thus impeding capitalist development)' (Brenner, 1985a, p. 57). The crown and state office-holders equated the potential for economic success, especially their own success, with keeping families on the land, no matter how tiny and inefficient familial landholdings may have been. This meant

that the monarch had to prevent the expansion of the powers and rights of local seigneurs, such as the ability to enclose land, in an effort to rein in the authority of his competitors for surplus production. This was not unusual on the continent of Europe where there were often two sections of the ruling class who struggled against each other: 'local' lords whose subsistence came mainly from rents, and office/state 'lords' who lived mainly off taxes.

England's capitalist state

The English state was distinguishable from the French in that it was centralized and unified territorially and juridically, from shortly after the Norman Conquest onwards, when William brutally destroyed any Anglo-Saxon resistance in his way. The form of lordship established by the new king was hierarchical, from William at the top to his subordinate tenants-in-chief, who had been granted large tracts of land, on downward. Lordship was also more clearly 'economic'; it did not bring with it many of the powers taken for granted by French seigneurs. Both crown and (eventually) Parliament were centralized to an unusual extent. As a result, there were no competing feudal bastions or internal boundaries. The English county, for example, 'was never a devolved unit of government with its own lawmaking or taxing powers' (Aylmer, 1990, p. 101). There were links joining the centre and localities, but there were no 'provinces' in between. The apex of government was the monarchy, which 'ruled through its capacity to invoke and mobilize the participation of the political élite' (Harriss, 1993, p. 56), specifically through what would become the House of Commons and the House of Lords. By the fourteenth century, raising taxes required the approval of Parliament, a body that, in the ensuing centuries, would increasingly be controlled by the nation's largest property owners. The crown typically cooperated with Parliament, though with some exceptions, most notably during the Civil War (1642–1649). Even in this instance, however, Charles' opponents were accusing the king of attempting to breach this age-old cooperation, of trying to subvert the practice of sharing responsibilities, summarized by the formula 'Crown in Parliament'. Another aspect of centralization from the late twelfth century onwards was the common law, a royal power which would prove to be supportive of the landed classes and the development of capitalist social relations (Comninel, 2000, pp. 28–31). It was a sign of the unity of the English state that major landlords were willing to have many of their disputes addressed in the king's court.

England was also a country where political groups tended to work together. There was a heavy influence on government at all levels by landed society, from earls and barons down to yeomen and husbandmen, who served as members of Parliament, justices of the peace, sheriffs, lord lieutenants (commanders of county militias), tax collectors, constables, jurymen and so on. At the same time, these officials never used the state as a source of personal income to anywhere near the extent that the nobility and bourgeoisie did in France. Over the years, public revenues were typically being collected by salaried officials who did not work in a private capacity as for-profit tax farmers. In addition, English landlords were not legally absolved from paying a share of government revenues. It is telling that landlords in England taxed *themselves*, in contrast to France where seigneurs invoked privileges to exempt their own property from levies – ‘and naturally so, since the [French] state was centrally conceived as a political, wealth-generating mechanism for the aristocracy’ (Brenner, 1985b, pp. 298–9). Economic benefits in England came substantially from property, not offices, hence many members of the landed classes were ‘profoundly hostile to the very notion of “the state”’ (Brewer, 1989, p. 156). It should come as no surprise then that in the sixteenth and seventeenth centuries, per capita taxes in France were three to four times what they were in England, accounting for five times as much of total economic output (Brewer, 1989, p. 20). An important reason for this is that the English Parliament managed to serve as a check on the war-making capacity of the crown through its ability to deny the monarch necessary funding. Hence for roughly 240 years, from the 1450s to the 1690s, it severely curtailed the budgetary item – military expenditures – that consumed the vast majority of the revenues of European states at this time.

Government in England came to be understood by the ruling class as the ‘political’, the purpose of which was to protect the interests of private property. In the Tudor period (1485–1603), there emerged ‘a different sort of state’, one that was not based on the use of offices as a means of taxing the peasantry, made possible because ‘the English landed classes had no need to revert to direct, extra-economic compulsion to extract a surplus’ (Brenner, 1985b, p. 298). As a result, it can be argued that in the early modern era, it is *only* in reference to England that one can speak of a growing division between ‘the state’ and ‘the economy’. The English state was not actively involved in exploitation; that practice was increasingly in the hands of ‘entrepreneurial’ tenant-capitalist farmers. Wealth was being drawn from a type of property that was unencumbered by customary rights and communal methods of agriculture, and so open

to advances in productivity. Because exploitation had been privatized, there was no need for a large bureaucracy of *officiers*. Late eighteenth-century England had just 16,000 state officials compared with 300,000 in France (Clark, 1995, p. 116). English lords had no use for 'a piece of the state', such as an office, 'because they could no longer effectively apply it to what had been its primary function throughout the medieval period – ensuring forced levies from unfree peasants' (Brenner, 1993, pp. 651–2). In England, 'coercive powers and jurisdictional rights were, for the first time, clearly separated from the private property and private proprietors, to which and for whom they had historically been integral, and concentrated in a unified state structure' (Brenner, 1993, p. 657). It should be kept in mind that it was this peculiar form of state that evolved 'in tandem with the capitalist economy', while it was only under Napoleon that the French state was finally able to transform itself 'from a parasitic growth fed in large part by peasant-produced taxes into a catalyst of capitalist development' (E. Wood, 1991, pp. 19, 26).

The English state was highly centralized, but there was still much contact between the centre and the regions, including counties and parishes. They kept in touch with each other mainly through circuit judges who travelled and worked in the localities. Another coordinating element, down to the end of the seventeenth century, was the Privy Council. It acted as an 'administrative clearing-house' (Innes, 1994, p. 97) that provided information to local authorities and demanded that they perform certain tasks, especially in times of harvest failure and plague. In the late seventeenth and early eighteenth centuries, the centre itself became more dispersed with the Treasury, Admiralty and Secretaries of State gaining in importance. Parliament, too, became more significant, meeting more often (annually after 1688) and for longer periods of time. This made the government in England an even more effective instrument in the creation of a national social policy. During the eighteenth century, hundreds of welfare measures were brought before Parliament. Many of these passed into law and were eventually implemented, usually at the parish level, which had significant powers in the areas of poor relief, migration and vagrancy. Local officials were often forced to carry out their duties in the face of fines, penalties or, conversely, rewards. Between 1640 and 1740, local administration 'had become more formal, more standardized, more professional, and chains of authority and accountability had been tightened up and clarified' (Kent, 1995, p. 403).

There has been much debate over the nature of the English state as it evolved throughout the eighteenth century. John Brewer (1989), for

example, has emphasized the external relations of the state and its war-making capacity (while not intending to downgrade the importance of domestic politics). For him, the 'fiscal-military' state expanded in the period from the 1660s to the 1780s as a result of international conflicts. The outcome was a strong central government, with an expanded civil service, the number of state employees going from 1200 in the 1650s to about 16,000 by the 1760s (Brewer, 1989, p. 65). Most officials worked in departments that collected revenues, especially customs (taxes on trade) and excise (taxes on domestic consumption). There was also a phenomenal growth in total and per capita state revenues at this time, so that the English were now paying more in taxes than the French. By 1760, government expenditures were absorbing 20 per cent of GNP (Brewer, 1989, p. 91). Military costs accounted for two-thirds to three-quarters of the total spent while the next largest item was typically interest payments on past debt, a consequence of previous wars.

Brewer's work has added an important dimension to the history of English government, though it has left the work of highlighting the domestic side of the state to other writers. For my purposes, it is important to focus on this sphere of state activities. When 'internal' issues are the object of analysis, as they were in the works of E.P. Thompson (1968, 1993), then the field of inquiry shifts from war to capitalism. The role of the 'political' as an active champion of capitalist social relations was becoming clearer throughout the eighteenth century. For instance, some cottagers and landless persons were failing to have their claims recognized at common law, despite the fact that these individuals may have been exercising their rights for quite some time. Use-rights were increasingly becoming a property, a thing, which could be monopolized by a person who was a non-user. Certain kinds of usage were deemed by the courts to be 'unreasonable', especially because they interfered with the 'right' of the 'owners' to bring about 'improvements'. Parliament, the common law and the theorists of political economy more and more 'regarded co-existent properties in the same land with extreme impatience' (Thompson, 1993, p. 162).

Government endeavours were important in assisting the development of capitalist social relations in other ways. The state was involved in the enclosure process, especially in the period 1760–1840, when about one-fifth of the nation's arable land was privatized. Severe sentences for crimes against property were being implemented, many of these punishable by death, including poaching, stealing sheep and other petty thefts

(Hay, 1975). Crimes 'especially damaging to capitalism were punished with exemplary severity' (Porter, 1990, p. 136). Anti-union laws were also passed, culminating in the Combination Acts of 1799 and 1800, when over forty pieces of legislation were on the books prohibiting collective efforts to raise wages (Porter, 1990, pp. 149–58).

These 'neutral interventions' in the economy tipped the scales of power heavily in the direction of capital, a process that was, for the most part, complete by the first few decades of the nineteenth century, a period when England was the only country in Europe without a substantial peasantry. In the years from roughly 1830 to 1880, England was also the only country in Europe to have a developed capitalist state. This half-century, marked by the Industrial Revolution, has often been mislabelled as an era of 'laissez-faire', yet it was an age when what we appreciate today as the staples of social and economic regulation began to 'take off'. New legislation dealt with employment in factories, mines and agriculture. The police and municipal government were reformed while sanitation and public health became major concerns. Much progress was made in providing universal elementary school education. These and similar kinds of measures were essential in smoothening the now sharp-edged relationship between the minority of owners and the mass of landless labourers in the world's first thoroughly capitalist society. Moreover, when these failed, coercive state powers in the form of increased numbers of military, police and special constables had to be used to hold down mass working class protests, such as those organized by the Chartists in the 1840s (Saville, 1994).

The English state changed over the course of a few centuries, from a body that allowed for the possibility of capitalist development, to one that was more eagerly involved in clearing away the social impediments to this new mode of production. In addition, though, the English state was also, especially at the local parish level, an active participant in helping those who bore the brunt of socioeconomic changes. This assistance came in the form of poor relief, a type of support that is, I suggest, one of the hallmarks of a capitalist state.

4

English Poor Relief, c. 1350–1795

My argument is that the nature of English poverty and the programmes that were devised to address it were both distinctive and that this distinctiveness was a result of the development of capitalism. There is general agreement on what constituted the important features of English poor relief, yet there is much disagreement on whether and why these features were unique. This chapter begins with a critique of the standard interpretations of the rise of poor relief. This is followed by a description of the types of support available to the indigent during the middle ages and a survey of the transition to public forms of relief in the second half of the sixteenth century. In the subsequent section, I reject the contention that the Protestant Reformation was an important factor in this transition. In the second half of the chapter, I draw out the methods used to assist the poor that were solidified shortly after 1600 and which remained in place down to the era of the French Revolution. This will serve as the basis for my own interpretation, in the last section, where I argue that poor relief was a substitute for access to land and common rights.

A critique of standard interpretations

In explaining the development of the new types of poverty and poor relief that appeared in late sixteenth-century England, it is essential to stress the alterations to the 'economic', and this necessitates an emphasis on the history of capitalism. The standard approaches, however, despite highlighting the state and/or the economy, suffer from a number of flaws. They need to be critiqued as a prelude to what I hope will be a more satisfying account of the creation in England of laws 'to force charity'.

Let us begin with Paul Slack, one of the most important contributors to the literature. He has noted that, in contrast to the Continent, the unique feature of poor relief in England by the beginning of the seventeenth century was that local taxes were being used to collect money that was in turn given 'to many hundreds of paupers living at home' (Slack, 1990, p. 17). He pointed out that this unparalleled response to poverty in England is typically accounted for by three variables: population increase, which resulted in a higher number of poor people; public enlightenment, in the form of humanism and a more generous Christianity; and government need for order and control. While acknowledging that these factors had some influence, he did not see them as being critical to the development of the poor laws (and I would agree with this assessment). However, Slack (1990, p. 13) also concluded that 'economic circumstances can do little to help us explain innovations in social policy' because, over the years, there had been a virtually continuous demand for reform of the poor laws during times of dearth as well as periods of prosperity (though I would suggest that ruling class complaints about relief are not a good reason to reject 'economic circumstances' as being crucial to any explanation of England's uniqueness). Slack (1990, p. 57), in turn, placed greater emphasis on the peculiar organization of English government: 'If we ask why England alone produced a social-welfare system of this size and complexity, we must find the answer in political habits and structures of government.' In particular, the 'English poor law succeeded not just because Parliament could frame practicable strategies, but because Privy Council, assize judges and sessions could enforce them'.¹ Slack (1988, p. 206) added that the 'unusual centralization of English government, its ability to ensure local obedience through Assize judges and justices of the peace, and its success in moulding parishes into effective units of administration, created a unique English institution' (that is, the poor laws). In a later work, while noting the growth of health care institutions in early modern London, Slack (1997, p. 247) concluded that: 'First and most obviously, and perhaps tritely, they show that new mechanisms for the protection of health and welfare had little to do with the social circumstances of poverty and disease themselves, and more to do with ideology and politics'.

Joanna Innes (1987, p. 63), another important writer on poor relief, arrived at a comparable conclusion. With reference to the construction of bridewells, she suggested that:

Features of English society and economy alone provide no adequate explanation for English distinctiveness....it is not obvious that English social and economic arrangements were so different from those prevailing *everywhere* on the Continent as to account for so distinctive a governmental response.

The establishment of bridewells to serve rural as well as urban England was made possible, and indeed probably positively encouraged, by the existence at a vital point within the hierarchy of English government of the officers called Justices of the Peace.

These analyses point to the importance of the centralization of the English state, which allowed for the opportunity of implementing a fairly uniform poor law at the local level. However, Slack and Innes make no connection between this centralized state and the development of capitalism. The peculiarities of the English state, especially the absence of a parasitic bureaucracy that pumped a surplus out of an impoverished peasantry, were related in important ways to the existence in that country of privatized exploitation (E. Wood, 1991). The above noted explanations also fail to give due recognition to the breakdown of manorial society in determining how the unique treatment of the English poor came about and, in one case (Innes), makes an empirically flawed generalization about the supposed lack of distinctiveness of the English economy. As well, how can one so clearly separate the 'social circumstances of poverty' from 'politics' and 'ideology', as Slack does? This implies that the state has little or no role in the process of exploitation.

Other commentators have paid somewhat more attention to the relationship between capitalism and poor relief than Slack and Innes, but they still have not adequately drawn out the nature and specificities of this economic system. A case in point is Gertrude Himmelfarb. She has developed an idealist explanation of indigence and poor relief, situating them within the context of a novel form of 'morality'. With reference to the new poor law of 1834, she placed great stress on the ethical 'spirit of the age', which was packaged in fairly coherent 'principles, assumptions, and rhetoric'. This moral discourse and resulting practices remained dominant, she argued, 'until very different principles, assumptions, and rhetoric [at the end of the nineteenth century] brought about another revolution in social sensibility and social policy' (Himmelfarb, 1984, p. 154).

In order to prepare the groundwork for this analysis, however, Himmelfarb attempted to remove the critical focus from capitalism, beginning with her assertion that the period of the late seventeenth and early eighteenth centuries 'is better known today under the label of mercantilism'. Himmelfarb described the century 1750–1850, the territory of her work, as one 'during which England emerged as the "first industrial nation"'. She gave great credence to the idea of 'the "takeoff" of industrialism (in Walt Rostow's famous phrase)' and spoke of the years around 1760 as 'precisely the time when industrialism and capitalism began their "takeoff"'. This argument as to when capitalism originated was further highlighted in her criticism of C.B. Macpherson's *Burke* (1980). She claimed that this work involved 'a dubious reading of history, in which capitalism is ushered in (as it was for Tawney) a full century or more before the *Wealth of Nations*' (Himmelfarb, 1984, pp. 6, 25, 40–1, 73).

Himmelfarb (1984, pp. 55–6) continued her argument in a discussion of a number of classical economic theorists where she suggested that, not only does capitalism follow mercantilism, but it was also distinct from the 'industrialism' with which it was contemporaneous. She proposed, for instance, that Adam Smith had seen alienation as being grounded 'not in capitalism as such but in industrialism, and more specifically in the division of labor that was the peculiar character and the special strength of modern industry'. Smith, she maintained, 'held industrialism rather than capitalism at fault' for the miseries faced by humanity. Himmelfarb clearly endeavoured to separate industrialism from capitalism, while seeing only the former as the bearer of social evils. It sometimes does make sense to distinguish these two, since industry is not necessarily capitalist and capitalism does not have to be industrial – witness English agriculture. But this distinction is not what she had in mind. Her conceptual division seems to be an attempt to rescue capitalism itself from moral disrepute. As such, Himmelfarb must refuse to recognize the salience of the specifically industrial form that capitalism developed, while at the same time failing altogether to engage with its agrarian origins.

Mitchell Dean is another writer who has ignored the agrarian roots of capitalism while characterizing the economy of eighteenth-century England as mercantilist. His book *The Constitution of Poverty* (1991) is a discursive analysis of the 'event of pauperism' that took place in the years 1795–1834, entailing a break with the older mode of discourse. In the century and a half before Malthus' famous *Essay* (1798), Dean argued, poverty was discussed 'in a remarkably consistent

fashion'. Concern in this 'Discourse of the Poor' was with the administration of people with lower incomes who formed most of the population. This changed, however, in the late eighteenth century with 'the rise of the discursive, if not administrative, conditions for a liberal mode of government of poverty'. He noted that the pre-nineteenth century discourse 'must be challenged, and its characteristic concepts displaced, before the liberal transformation of governance, which *will* be conducive to capitalist relations, is complete' (Dean, 1991, pp. 1, 19, 23, 51–2).

There can be no doubt that the period 1795 to the 1830s was marked by a profound ideological shift, and that Malthus was the driving force behind this change. Where I would take issue with Dean is in his conception of the context for his writing, and particularly in respect to the historical development of capitalism and its relationship to poor relief and understandings of the poor. Dean (1991, p. 214), for example, while critiquing both Marxian and Weberian historiography, explicitly broke the link between the origins of capitalism and the unprecedented response to poverty in England. He wrote:

Like Marx, Weber too easily reads earlier state administration and legislation through the *telos* of capitalism. Both prematurely identify the role of the state in legislation towards the idle and industrious Poor (in poor, labour, and vagrancy legislation) as functioning to promote capitalism. By contrast we have sought to contribute to a non-reductive and non-teleological analysis of what is indeed a highly complex genealogy of the governance of the Poor. At a minimum, the present study implies that eighteenth-century discourses and governmental practices concerning the Poor cannot be understood simply by reference to their functions in terms of capitalist social relations.

It is the point of my work to argue the opposite: that poor relief practices in England and the development of capitalism were, in fact, intimately related. For Dean, in contrast, the pre-1790s Discourse of the Poor was mercantilist, not capitalist, because it defined 'national wealth in terms of a favourable balance of trade and an industrious population'. There was little in this discourse, he claimed, which resembled 'a nascent capitalist ethos, including its notions of labour, wealth, and profit'. What was important for Dean in terms of context was 'the mercantilist, biopolitical problem of the utilisation and fostering of the population' (Dean, 1991, pp. 19, 23, 58). The implication of this view is that there

was an economic phase called 'mercantilism' which ran from c. 1650–1800. This period was not (or not quite) capitalism; it was only in the nineteenth century that mercantilism gave way to capitalism proper.

There is a problem with Dean's and Himmelfarb's use of the concept 'mercantilism' to describe the environment within which the discourses and methods of dealing with English poverty evolved. The term mercantilism was first popularized by Adam Smith who used it to describe a system of economic nationalism involving government regulations, the objective of which was to encourage exports while placing barriers on imports. Economic prosperity was seen as a zero-sum game, hence the importance placed on the hoarding of gold and silver. Subsequently, about a century after Smith, a number of historians began using the term to refer to state-building and the pursuit of power by merchants who wanted monopolies and protection for their trade. Mercantilism, however, is not a particularly helpful concept, despite Smith's description of it as a system. It tends to be invoked in reference to all western European states, taking no account of the substantial distinctions between them. It does not, for example, explain the different policies implemented over the period 1500–1800 in England and France. Furthermore, mercantilism does little to aid our understanding of how one of these countries produced a capitalist economy while the other developed a form of absolutism, with its state as a private resource, extracting taxes from a near-starving peasantry.

Mercantilism may serve as a term for categorizing a group of loosely related economic theorists, but it cannot be used to designate an entire economic system – a mode of production – with the possible exception of France for brief periods in the seventeenth and eighteenth centuries. The concept, even when applied to theoreticians, has to be used with care, because it fails to highlight the distinct problems that were addressed and the prescriptions that were advanced by writers, say, in England and France. Differences between 'mercantilists' in these two countries are especially pronounced and begin to make more sense when we look at the historical context of the theories. In the period c. 1600–1800, British political economists were making their observations in a nation with an increasingly privatized economy. According to David McNally (1988, pp. 21, 66), seventeenth-century England saw 'the emergence of a framework of analysis in which agriculture was seen as the foundation of national wealth', where the class structure consisted of landlords, capitalist-farmers, and wage-workers, operating within the confines of a more or less 'night-watchman' state. Consequently, the main preoccupation of these writers was in finding the best methods of increasing

rent (the taxable income on landed property). In France, in contrast, mercantilists were dealing with the destructive role of the absolutist state, hence 'the problem of taxation was the central concern of French political economists during this period'. The state was seen as a more active authority, one required to bring order to a disordered nation, a prerequisite for economic prosperity. The state, through its control of wealth, was necessary to the organization of productive life, though with levels of taxes so high, critics in France felt that it had overstepped its bounds.

Mercantilism can hardly be considered a coherent discourse. The idea that mercantilists were all protectionists, for example, is simplistic. In fact, they often critiqued the privileges that came with monopolies, with many, particularly in England in the late seventeenth century, arguing for greater freedom of trade in selected areas of the economy, with the maintenance of government protection in others. The notion that mercantilists were diametrically opposed to the proponents of laissez-faire is also an exaggeration, given that even the most prominent exponent of the free trade position, Adam Smith, saw an important role for state regulation in many areas, including the education of young children. There was, then, no unity to mercantilist thought, even within a country, let alone between countries, 'reflecting differences of social structure, national resources and characteristics, and the stage of economic and social development attained by different societies' (Wilson, 1958, p. 20). In sum, as a means of describing economic theory, and certainly as a way of designating the relations of production, mercantilism 'is not simply misleading but actively confusing, a red-herring of historiography' (Coleman, 1969, p. 117).

In contrast to the writers surveyed thus far, Catharina Lis and Hugo Soly are two individuals who have approached the subject of poor relief from a perspective that combines a theoretical approach with detailed historical analysis. They are cognizant in their work of the importance of national differences. They pay due attention to the development of agrarian capitalism and the fact that the chronology of proletarianization in England differed from that elsewhere in western Europe. They point to the English peasantry's weak claims to landed property, the abolition of common rights, and the deleterious effects of engrossment and enclosure.

Despite these observations, there is in their work a lack of acknowledgement of how very different English social policy was from the Continent, aside from an admission that England's poor law had a 'unique continuity'. Their recognition of agrarian capitalism did not

prevent them from writing that the 'more or less symbiotic relationship between merchant and manufacturer helped clear the path for the eventual breakthrough of the capitalist mode of production'. This analysis is based on Lis and Soly's overly generous acceptance of the presence of 'commercial capitalism'. For instance, they argued that fourteenth century European towns, despite 'their small quantitative weight... would largely determine the course of subsequent economic development', because it was in these towns, and 'not in the countryside, [where] commercial capitalism was born'. For them, sixteenth-century western Europe saw an extension of this burgeoning, yet unstable, economic form. As a result of merchant entrepreneurs seeking quick profits, the 'development of western European industry, consequently, was characterized by a continuous "redrawing of the map", in the words of Fernand Braudel'. With the constant movement of capital, no area at this time was able to take a 'qualitative lead' in the production of goods. This form of capitalism, they argued, existed at the same time as the numerous European innovations in urban poor relief from about 1520 to 1540. From this, they concluded that the 'connection between the triumph of commercial capitalism and the genesis of the new social policy appears undeniable' (Lis and Soly, 1979, pp. 9, 67, 92, 96, 156). A more detailed example of this line of thought is their description of two of the failed attempts at developing social policies outside England in the sixteenth century:

In France and the Netherlands, central governments did not even attempt to enforce the poor laws promulgated in the 1530s. The reasons are obvious: in France, there was civil war between 1562 and 1598, and in the Netherlands a revolutionary movement emerged in 1566 and eventually led to the independence of the United Provinces. In both countries, decisions regarding poor-relief were left to the municipalities, which often saw no particular reason to continue a coordinated social policy. Many towns experienced growing economic problems, aggravated by war, and so the poor-relief schemes introduced in the 1520s and 1530s lost their labour-regulating function.

(Lis and Soly, 1984, pp. 177–8)

It would seem that, for Lis and Soly, social policy on the Continent died along with commercial capitalism, which itself was killed off by wars and revolutions. France and Holland were given as examples of failed – or at least stunted – capitalism. But poor relief did not fall apart in

these two countries only because of internal strife; after all, as we shall see, it survived intact in England during the revolutionary decades of the seventeenth century. Publicly funded social welfare emerged much later on the Continent because capitalism did not fully develop there until, in some cases, well into the nineteenth century. Also, it was the peculiar development of agrarian capitalism in England that provided the impetus for the creation of what we recognize today as social policy, much more so than the primitive forms of commercial capitalism that may have existed in the cities on the Continent.

In sum, my analysis of the context of English poor relief is different from almost all the literature on the subject. In determining the necessary conditions for the emergence of state assistance to the poor, far too much emphasis has been placed on the institutions of English government, especially when these are detached from the development of capitalism; a pan-European commercial capitalism; and the abstract economic form of mercantilism. In contrast, if we place the spotlight on agrarian capitalism, we will have a better understanding of the development of the peculiar treatment of the poor in England.

Poor relief in the middle ages

The 'poor' as a distinct group have existed since the end of egalitarian and rank communities and the beginning of stratified societies. Throughout this history, poverty has been generated by natural disasters, including plague and drought, as well as unfortunate personal circumstances, such as debilitating illnesses, sudden injuries, severe disabilities and the physical infirmity often brought on by old age. The poor, however, even if reasonably healthy and able to work during 'good times', would also have been subjected to ongoing exploitation in the form of rent, taxes, labour services and debt. The 'needy' in English society were in dire circumstances not just because of the cruelties of nature or downswings in the Malthusian cycle.

Prior to the sixteenth century, despite exploitation and stark social divisions, there was no urgent need for a comprehensive system of poor relief in England. 'Capitalist poverty' did not yet exist. Because most people lived in villages where they were entitled to land and common rights, they could normally avoid the situation of some of their descendants who were completely bereft of property and who were often left with little choice but to beg in the streets.

The elderly are an interesting case study in demonstrating how a society could function without poor relief. In a capitalist economy,

many people reach retirement age with almost no savings because they never earned much. Owning nothing, they require public welfare in order to survive. However, within the social relations that made up the manor-based economy in England, elderly people who were no longer able to farm 'their' land could make arrangements to rent it out, to profit-share or to transfer it to another person in return for a 'pension'. Elaine Clark (1982) has documented a number of cases between the 1250s and 1450s where old people who had access to land allowed others (kin or non-relatives) to take over their farm. In return, their pension would consist of room and board, proper clothing and perhaps some spending money. The person farming the land would pay the rent and perform the labour services due. Hence, land was an asset for tenants even though, from a modern perspective, they did not 'own' it. They often had control over who would succeed them; therefore, they could negotiate their retirement, usually when their physical abilities had diminished. Those who were not productive would be removed from the world of work, but by the force of their rights to land they would not go hungry or become homeless. Clark (1990, p. 191) concluded that 'rights in property gave householders the necessary leverage to obtain labour and support' from the younger generation 'and thus to bargain for income maintenance in old age'. Landlords usually accepted this transfer of land because it meant that their income would not be interrupted. It was always in the landlord's interest to have a tenant who was able to cope with the physically demanding tasks of farming.

The particulars of these agreements were often set down in a contract which was kept in the records of the manorial court. Failure by the caregiver to maintain the terms of the contract could lead to the land reverting back to the elderly person, and another tenant would have to be found. Such transfers were also done on a more informal level, especially between parents and children. They applied, not only to the elderly, but any group such as the mentally ill or orphaned children who had inherited land but who were unable to work. This system of transfers has been described as a 'traditional peasant poor law' (Dyer, 1994, p. 415). Frances Page (1930, p. 133) argued that 'it is difficult to overrate the importance of the customary land law as a method of poor relief' in providing people with a respectable lifestyle and keeping them out of abject poverty. Hence, a growing body of landless individuals cut loose from village ties – their existence now closer to a rule than an exception – would prove to be a problem. They would have to be cared for by poor relief.

In England, provisions for the poor had remained fairly stable in the few hundred years before 1500. By the sixteenth century, a number of institutions had long been in place. They looked after those who could not work: the sick (mentally or physically), the orphaned, the old and widows with children. One such institution was the Christian church, whose clergy collected money and distributed it to the poor in every parish. Generally one-quarter to one-third of the church's annual revenue was earmarked for the relief of poverty, though this amount fluctuated greatly depending on local circumstances. The responsibilities of religious organizations in this area were well established by 1281 when a provincial Council declared that every church had to ensure 'that at least extreme necessity among poor parishioners is relieved' (cited in Tierney, 1959, p. 78). Other institutions working with the indigent included monasteries, the haven for monks and nuns, which typically donated a small percentage of their income to the poor in the form of food and money. In addition, there were approximately 600 hospitals by the mid-fourteenth century, funded by private legacies, monasteries or confraternities (religious associations run by the laity). They took care of all types of people, including the sick, but also those just needing a shelter, such as travellers or the odd pauper. They never looked after extensive numbers. Around 1400, roughly 'the equivalent of one person from every two parishes was being cared for in a hospital or recorded almshouse' (McIntosh, 1988, p. 216), typically the elderly who were in declining health. Almshouses were residences where 'older persons, with certain qualifications, would be given housing, food, clothing, and warmth for as long as they lived' (Tobrer, 1985, p. 14). The rent or interest from their founding gifts of land, property or money could serve as a perpetual source of income for a house, some of which survive to this day (Tobrer, 1985, p. 26). As well, there were the more informal gifts of private charity. Households that were well-off, from the royal family on down, would occasionally arrange to feed the poor of the community. Individuals with varying degrees of wealth sometimes had money distributed at their funerals or they left their estate in the form of a bequest.

Religious fraternities or guilds (usually dedicated to a patron saint) and craft guilds (identified by craft or line of business) were common by the thirteenth century and served as another form of assistance. Some of these organizations (one-third of the religious) had insurance funds that they generated from paid subscriptions or fees. However, because of their practice of giving small grants, guilds did not contribute a great deal to relief, in many cases nothing at all, the promises contained

in their by-laws notwithstanding. It would have been a strain on the resources of some fraternities to provide support for one person. McRee's (1993) study of religious fraternities concluded that the organizations that dispensed charity tended to be overwhelmingly urban-based and fairly prosperous, with relatively high admission fees. This ruled out entry by the poorest members of the community. Guilds responded to situations where physical infirmities brought on by ageing or accidents deprived one of their members of the ability to labour. They also provided temporary support to individuals who were victims of fire or robbery, until they could re-establish their businesses. Guild members were relatively unaffected by low wages or the lack of seasonal employment. The beneficiaries of this type of assistance, then, were not 'those who were chronically short of funds during the ordinary course of their working lives' (McRee, 1993, p. 209).

The transition to public poor relief, c. 1530–1601

In the sixteenth century, a fairly different and much more comprehensive, publicly funded welfare system was constructed in England. From the 1550s to about 1600, alterations in poor relief practices tended to be undertaken in populous areas, where significant resources could be raised. By 1557, compulsory poor rates were in place in Norwich, York, Colchester, Cambridge and Ipswich (Fideler, 2006, p. 81). One of the first places to respond to pressing calls for assistance was London, by far the nation's largest city, with a population that rose from 55,000 in the 1520s to 200,000 by 1600 (Wrigley, 1985, p. 688). London had a well-established group of institutions that dealt with various needs, including Christ's (for children), St Thomas' (generally aged persons), St Bartholomew's (sick patients), and Bethlehem (for 'lunatics'). By the 1540s, it had become clear that the money raised at Sunday church services was not providing sufficient finances, so the collections were ended and were replaced by a compulsory tax. This involved a new method of organizing relief by the municipal government; however, there 'was no sudden break with the older system. St Thomas's, St Bartholomew's and Bedlam [Bethlehem] had all been hospitals for centuries. They had been saved from destruction [during the Reformation period], improved and enlarged, but essentially the same work was done in the same places' (Leonard, 1965, p. 38).

This organization of relief would soon receive a novel supplement in 1552 when the city of London petitioned King Edward in an attempt to obtain Bridewell. This building was to be used as a new type of

'hospital' for the able-bodied. It became one of the first major efforts 'by governments to *create* work opportunities for the workless poor' (Innes, 1987, p. 53). Raw materials and wages were to be supplied by private companies who would receive back finished products such as nails, caps and knitted goods. Within the institution, governors and other employees would enforce order and discipline. Labour would be coerced out of 'sturdy beggars', who were seen as voluntarily unemployed, in the hope of 'reforming' them. The objective of those who established Bridewell was to set up a 'house of occupations' so that able-bodied individuals, who would otherwise depend on charity, could support themselves through the production of goods.

Bridewell began operations in 1557 and joined the impressive array of institutions noted above. It was committing about 400 individuals per year in the 1560s, in a city containing roughly 100,000 people. Those who entered Bridewell, usually beggars and vagrants, rarely stayed long. It quickly became apparent that what had been created was not a house of occupations but rather a 'penal revolving door' (Innes, 1987, p. 57). The building served as a place of incarceration for those engaged in crimes such as petty theft, prostitution and public drunkenness. At the end of the century, Bridewell was generally known as a 'house of correction'. London's five hospitals were dealing with around 4000 people per year by 1600; in other words, a small percentage of the population, yet perhaps a significant percentage of those in need (Slack, 1980, p. 109). As a rule, though, the hospitals did not take care of many able-bodied poor.

By the turn of the sixteenth century, poor relief had become a substantial feature of English society. Surveys by various scholars of a number of parishes in London around 1600 are 'consistent in suggesting that about 7 per cent of householders were dependent on regular parish support and a further 18 per cent [were] in need of occasional help and threatened with destitution in crisis years. As a proportion of the population the poor were about 14 per cent' (Archer, 1991, p. 153). In addition to London, other centres had to come to terms with the growing number of destitute people. By 1600, about a dozen populous areas had established bridewells while all the larger towns had enacted poor rates (Slack, 1988, p. 170). It is tempting to see urbanization, then, as an important factor in contributing to the creation of poor relief. However, the size of some places was probably the reason why they instituted rates a few decades ahead of most villages. Also, there were not many towns, so we should be careful not to exaggerate their significance. By 1600, London was the only genuine city, with 200,000 people, 5 per cent of England's

population. The next largest town was Norwich with 15,000 inhabitants. Excluding London, only 3 per cent of the English population lived in areas with more than 5000 people, rising to just 4 per cent by 1670, though by this time London had roughly 475,000 residents, almost 10 per cent of England (Wrigley, 1985, pp. 686, 688). It is clear, then, that the vast majority of the massive numbers dislocated in the late sixteenth and early seventeenth centuries remained in the countryside.

The period from the 1530s to 1601 is also notable for the increasingly active involvement of the central government in relieving the poor. During these years, a series of poor relief statutes were passed in Parliament. They were eventually implemented throughout England and Wales at the local level, in over 15,000 parishes, most of which contained only a few hundred families.² By 1601, two overseers in each parish, elected or appointed annually, were charged with the responsibility of taking care of the poor. They met monthly, estimated the amount of money required to meet their obligations, set the local level of taxation (the 'rate') and collected the funds. They were then responsible for allocating these monies, accounting for their proper distribution and maintaining records of taxpayers who were in arrears.

Churchwardens, officers who looked after church property, were also involved in administering the poor, though to a lesser extent. They had some additional powers which overseers did not, allowing them, for instance, to suppress vagrancy. Justices of the Peace (JPs) also had a role to play. They approved the rate determined by the parish, penalized the members of the community who were unwilling to pay taxes, heard appeals from the poor who were denied relief, could imprison those who refused to work, and ensured that, during times of dearth, sufficient supplies of food were brought to the market and sold at a fair price. They also enforced central government orders and supervised overseers and constables. Crown, Parliament and Privy Council were at the top of this hierarchy. The connection between the centre and the localities was the assize judges, who travelled throughout the country on a periodic basis.

The legislation of this era established the pattern of poor law administration for the next 200 years. Local taxes, based on the value of land and houses, were to be assessed and collected from all occupiers of property, and those who refused to pay were to be punished; richer parishes were to be taxed if necessary, so that money could be used in poorer neighbouring parishes, especially those struck by plague or an economic depression (this tax was known as a 'rate-in-aid'); the physically able were to be put to work; weekly assistance, usually in the form of a cash

payment, was to be given to the aged and the disabled; apprenticeships were to be found for children; accommodations were to be located for those who needed shelter; 'vagabonds' and 'rogues', those wandering able-bodied individuals who were thought to refuse work out of laziness, were to be punished, usually by whipping or incarceration in a house of correction; there was to be no begging except by those who had been granted a license to do so; and (more so after the mid-seventeenth century) proceedings were to be initiated in order to remove certain newcomers who did not have a 'settlement', a right to remain in the village where they were residing (and hence a right to make a claim for relief in that village).

By the 1570s, with the approval of Parliament, compulsory taxes were being assessed in a number of larger centres. And while the English had had to pay mandatory taxes for other reasons, this was the first time that such funds were to be raised on a (soon to be) national level expressly for the poor. In addition, parishes were now being ordered to maintain materials such as wool and hemp which were to be used in the employment of 'surplus hands'. With this, legislators had clearly understood that vagrancy and idleness were not just the result of an individual's faulty character but had their origins in a lack of available work.

The famous Elizabethan poor laws passed in 1597–1598 and 1601 contained no new principles and hardly any novel practices with regard to the treatment of the poor. They were merely a reiteration of what had been said and done over the previous 70 years and, in some instances, for 'time out of mind'. What had changed was that the government was now actively supporting this course of conduct. While the English state had established commissions to study agrarian protests (for instance, in 1548–1549), it did not at any future point take serious measures to oppose the enclosure and engrossment that were breaking down the manorial economy. However, state officials were prepared to deal with the consequences of this breakdown, namely that many people with just a cottage and a garden – or no land at all – would require financial support at some point in their lives, from young workers to aged retirees. The pressure to respond was cogently summarized by one MP who declared, in a debate on enclosure in 1597–1598, that the 'eyes of the poor are upon this Parliament' (cited in Fideler, 2006, p. 99).

At this time, the amount of money and in-kind benefits flowing into the hands of the poor was small. By 1603, poor relief provided an amount roughly equivalent to that disbursed by all charities, with each accounting for about 0.25 per cent of national income (Slack, 1984,

p. 239, 1990, p. 52). The need for such support was obvious, especially in a society with a growing disparity in access to land. As limited as it was, though, this assistance constituted a redistribution from rich to poor. A.L. Beier (1981, p. 58) has shown how in one community in 1582, 27 per cent of the inhabitants paid the rate but did not receive assistance; 44 per cent neither paid nor received; 18 per cent did not pay and were barely above the level of subsistence; while 11 per cent accepted relief (and, of course, paid no poor rate). Although the numbers varied from one parish to another, it was an impressive feature of English poor relief from the very beginning that those who had, paid; while the most destitute of those who did not, received.

The Reformation and poor relief

In establishing the origins of relief under the old poor laws, the crucial question that has to be answered is: What happened in the sixteenth century that precipitated the development of a method of assistance that was both systematic and publicly run? It is certainly unusual to suggest that the emergence of capitalism was at the root of poor relief. Most interpretations have tended to emphasize the importance of the Protestant Reformation, when monastic lands and property were taken over by the Crown in the years 1536–1540. This ‘dissolution’ of the monasteries used to be seen as *the* source behind state assistance to the English poor. While no longer the case, a number of writers still view it as the main component of a satisfactory explanation of the implementation of government relief. For example, the editors of a recent collection of essays wrote: ‘Without denying the significance of the serious social and economic changes which affected Western Europe in the sixteenth- and seventeenth centuries, most of the contributors to this volume have serious reservations about the traditional or conventional association between economic change and welfare reforms.’ They placed their emphasis instead on the ‘politics’ and ‘ideology’ of the Reformation. They concluded that ‘the question of why England managed successfully to introduce a poor rate... at a time when other countries failed... may well be found in the protracted character of the English Reformation’ (Grell and Cunningham, 1997, pp. 2, 32–3).

Marjorie McIntosh (1988, pp. 225, 228) has also stressed the importance of the confiscation of church property, such as hospitals, and the abolition of monastic alms: ‘The consequences of the political/religious changes of the 1530s and 1540s upon local poor relief were disastrous’

with the result that by the 1550s ‘most of the established forms of poor relief had thus been eradicated, placing the burden of support *de facto* on local people and the parish’. From 1536 to 1549, 260 almshouses and hospitals, roughly half the total, were closed. In addition, she estimated that the loss from fraternities, charities and monasteries could have been used to take continuous care of almost four people per parish per year, or smaller amounts could have been distributed to many more individuals. Paul Slack (1990, p. 16), while suggesting multiple causes for relief, noted that the religious upheavals brought on by Henry VIII ‘destroyed much of the institutional fabric which had provided charity for the poor in the past: monasteries, gilds and fraternities’.

There were around 500–800 monastic institutions in England in the 1530s, housing between 7000 and 9500 monks and nuns. Within their walls there may have been another 20,000 workers and *corrodians* (paying guests) (Kelly, 1977, p. 14). This was in a nation of 2.8 million people (rising to 4.1 million by 1600). The annual income of the monastic houses went to pay various taxes, fees and dues; repairs and maintenance of the physical property; an allowance for the abbot or prior; food and clothes for the members of the household; and past debts. Staff would have consisted of agricultural and pastoral labourers, servants, cleaners, bakers, brewers and the like.

What happened to the members of these communities after the monasteries were dissolved? Many of the monks and nuns received a pension in perpetuity from the wealth of the house, a pension that was given regardless of other earned income and which, despite additional religious conflicts, continued to be paid by future governments until the last pensioner died in 1607. Special care was taken to make sure that the aged and infirm religious members would have their needs met. Pensions provided ‘a low, but not an unreasonably low, subsistence wage’ (Knowles, 1976, p. 293). Because the stipend was, in many cases, not adequate to furnish a comfortable life, most monks and nuns probably supplemented it with work, either in the religious or secular world. In sum, they would not have been well-off, but few would have become beggars. As for the employees, ‘many of them were retained at their old jobs under the new masters who purchased the confiscated lands from the crown’ (Kelly, 1977, pp. 32–3). This leaves the *corrodians*, a group of lay people, mostly elderly, who were either making payments to a house or promising a bequest in return for food, clothing and shelter. Their numbers were ‘very small’, about 1000 or so (Knowles, 1976, p. 152). The *corrodians*, however, would not have gone without support, since they were usually well-off, having made a grant or a promise to leave a

substantial legacy in order to enter the religious institution in the first place.

There is a further debate on the question of how valuable monastic alms were. Some writers argue that monks and nuns did not give alms to many people and what they did distribute to the hungry at their gates was relatively small. John Pound (1971, pp. 16, 22) suggested that the fall of the monasteries 'made relatively little difference to the numbers of either poor or vagrants' in part because monastic establishments spent a low percentage of their income on charity, which suggests that it 'was of little consequence, and that the lot of the poor cannot have been radically affected one way or the other by the dissolution'. Records from 200 monasteries, with half the total monastic revenues, found that on average 3 per cent of income was being earmarked for alms, with almost half of the houses giving nothing, 'a proportion which all would agree to be remarkably small, if not totally inadequate' (Knowles, 1976, p. 150). The more recent review by Rushton (2001, pp. 16, 20) suggests that at least 5 per cent of monastic income was spent on poor relief, though this is still not a relatively large amount.

An argument can be made, then, that the Reformation did not have a dire effect on socioeconomic life in England. The Webbs claimed that the monasteries and nunneries never 'made anything like a systematic provision' for meeting needs, so it does not make sense to attribute the development of a public poor relief system 'to the dissolution by Henry the Eighth and Edward the Sixth of a few hundred convents of monks and nuns' (Webb and Webb, 1963a, pp. 18–19). In addition, most hospitals and almshouses were not closed. Petitions to Henry VIII were usually successful. The hospitals that did remain open often came under the management of municipal governments (Leonard, 1965, p. 31). Almost all of the almshouses – at least those 'whose suppression could in any real sense have swollen the flood of pauperism' – were saved from destruction, even if not without a hard struggle' (Ashley, 1966, p. 327). After the Reformation, many of the hospitals and almshouses continued to assist the needy. A few may even have granted money to the poor. Rushton (2001, p. 32) noted that in some places (he gave the example of the New Foundation at Westminster Abbey), doles were still handed out, which 'suggests a continuation of the methods of ecclesiastically funded relief where religious houses were allowed to continue as reformed corporations'. The changes that were brought on by the religious upheaval no doubt had some effect, but I concur with Ashley's (1966, p. 354) 100-year old analysis that economic changes in the countryside were much more important: 'By the side of this

agrarian revolution, the other causes of destitution are hardly worth considering.' The old poor law had little to do with the transformation of charitable institutions but was required in order 'to cope with evils which had grown up *in spite of* those institutions' (Ashley, 1966, p. 328). Even Rushton (2001, p. 35), whose new data might suggest a greater emphasis on the conflicts of the 1530s–1540s, concluded that if the Reformation had not occurred, 'the religious houses would still have eventually needed help from the secular authorities to deal with the problem, because it had begun to take on a new dimension and required the kind of administrative infrastructure to control it which only government could provide'.

The ideologies of poverty that supposedly grew out of the sixteenth century Reformation also tend to be seen as marking a break with the past. These ideas are often viewed as an important contributor to the way in which poor relief was organized. However, debates about private property, the morality of poverty and the treatment of the poor go back to the early Christian church (Fideler, 2006, pp. 13–17). Most canonical theorists, from the beginning, accepted forms of individual property as just, but ownership always carried with it certain social obligations. Canonists generally combined their defence of private property with a critique of excessive wealth, emphasizing that goods had to be shared, especially in times of dearth. There was an obligation to give, especially food to those facing destitution, if one held possessions above and beyond the needs of one's immediate family. Superfluous accumulation in the face of manifest suffering was simply not in accordance with God's will.

Of major theoretical importance was the attempt to distinguish between the 'deserving' and the 'undeserving' poor. This distinction goes back at least to St Augustine (354–430 AD). He suggested that the worthy were embarrassed by their plight and would almost prefer to die of hunger, while the unworthy were those who were not ashamed to beg (Coleman, 1988, pp. 627–8). There are signs that the debate on these categories was intensifying by the twelfth century. The question that theologians struggled over was: Should those in need be helped without question, without prying into their personal situation and the circumstances surrounding their poverty, or should there be 'discrimination' in deciding who merited assistance? Some writers argued that only God was entitled to judge an individual as undeserving, while others maintained that indiscriminate charity could lead the able-bodied to choose a life of idleness. From the beginning, canonical theorists 'discussed the problem of discrimination in charity on innumerable occasions, in great

detail, and with a full realization that they were debating an issue of major importance' (Tierney, 1959, p. 54). This is borne out by the multitude of words that entered the Latin vocabulary between c. 1300 and 1500 to describe the different sorts of poor (Mollat, 1986, pp. 3–4). Long before the sixteenth century, then, there was a division between those who were considered to be worthy of support and those who were deemed to be unworthy. There were numerous sub-groups within each of these two main categories, and there were elaborate justifications of the obligations of the rich to these various types of poor. In London in 1553, a committee of leading citizens, headed by Bishop Nicholas Ridley and Lord Mayor Sir Richard Dobbles, developed the following list, no doubt the product of centuries of debate, yet strongly influenced by recent social changes. The committee noted that there were:

Three degrees of poor...

1. The poor by impotency
2. Poor by casualty
3. Thriftless poor

1. The poor by impotency are also divided into three kinds, that is to say,

1. The fatherless poor man's child
2. The aged, blind and lame
3. The diseased person by leprosy, dropsy, etc.

2. The poor by casualty are of three kinds, that is to say,

4. The wounded soldier
5. The decayed householder
6. The visited by grievous disease

3. The thriftless poor are three kinds in likewise, that is to say,

7. The rioter that consumeth all
8. The vagabond that will abide in no place
9. The idle person, as the strumpet, and others.

(cited in Webb and Webb, 1963a, p. 49)

In contrast to the idea that it was the fallout from the Reformation or alterations in the 'spirit of the age' which served as the major force behind the creation of poor relief, I would place much greater emphasis on socioeconomic changes as a causal factor. The English state was

responding to the collapse of the manorial economy and the fundamental modifications that were being initiated in the customary usages of land. What was new in the sixteenth century was the much larger number of able-bodied individuals without work and without access to sufficient amounts of property (or they had no property at all). Especially from the 1560s on, more people were falling into poverty because they lost secure landholdings or they were outright evicted. Many of these individuals would have suffered because of insufficient earnings, especially by the 1590s, because real wages had fallen dramatically throughout the century. Their livelihood could also be precarious if they depended heavily on employment in textile industries which were prone to serious periodic depressions. These social problems were compounded by a vastly increased population, more than doubling from 2.3 million in the 1520s to 5.3 million by the 1650s.

A few contemporary observers pointed to laziness and drunkenness as the sources of misery; however, it was recognized by the more astute authorities of the time that labourers were often poor through no fault of their own. The realization that changes on the land, among other factors, had contributed significantly to the large increase in poverty and vagrancy did not escape critical attention (N. Wood, 1994, p. 3; see also Wood and Wood, 1997). As early as the 1530s, reformers, state personnel and religious officials were admitting that there were 'those which endeavour themselves with all their will and labour to get their living with their hands, and yet cannot fully help themselves for their chargeable household and multitude of children'.³ Labourers who were unemployed or underemployed, those who worked but earned low wages, and individuals with large families were recognized in books, pamphlets and poor law accounts at the end of the sixteenth century, which noted that funds were being spent on 'decayed householders', 'poor men overburdened with their children' and 'poor able labouring folk' (cited in Slack, 1988, pp. 27–8). In the sixteenth century, then, poverty was 'taking new forms and appearing on a much greater scale than before', and this was acknowledged in the commentaries of the time (Oxley, 1974, p. 15).

The old poor law, 1601–1660

For almost 200 years, from the end of Elizabeth's reign to the era of the French Revolution, poor relief underwent only incremental changes. The methods used in dealing with the poor solidified after 1600, and were slightly modified from time to time in efforts to control spending,

but were only significantly altered in the face of a major agricultural crisis at the end of the eighteenth century. Philosophically, there were sporadic criticisms of relief and the provision of doles for those who did not work. These, however, were overshadowed by a near universal acceptance of the requirement to grant assistance to those in need. Before 1750, poor relief 'functioned reasonably well'. As a result, 'no substantial attack or proposal for abolition was to emerge in this period. Complaints against unduly heavy poor rates were rare' (Huzel, 1989, p. 759).

The relief provided to the poor in most parishes from roughly 1600 to the 1790s would have included:⁴

(a) *cash payments*: These were the 'commonest as well as the easiest form' (Slack, 1990, p. 27) of 'out relief' (assistance given to those living in their own households, outside of a workhouse). Webb and Webb (1963a, p. 157) concluded that doles and pensions 'formed, at all times and in nearly all places, the basis of the Overseer's practice in Poor Relief'. Direct cash payments were always more significant than in-kind benefits, perhaps because they were convenient for both overseers and recipients. The poor could buy what they needed, when they needed it, and the parish would not have to stock and distribute goods. Cash disbursements usually consisted of a pension, paid weekly or monthly, to the elderly, the disabled, and widows with children, all of whom had to demonstrate sufficient need. The names of these recipients were recorded by the overseers in a 'poor's book', which was supposed to be revised every Easter. Cash payments also came in the form of short-term assistance ('the dole') given to the 'casual poor', such as those who were ill for a brief period and the able-bodied unemployed. These individuals were typically described as being 'in want' or 'in distress'. People advancing in age often moved, after a few years, from receiving these occasional payments to the list of permanent pensioners. While observing the situation in the 1830s, David Thomson's (1996, p. 322) comment could easily apply to pensions for the aged almost from the beginning of the poor law: namely, that with few exceptions, 'pensions were granted for life, were not again queried or reviewed, were paid for the whole year in the expectation that the elder would not work, carried no expectation that a child would contribute, and were treated as a "right" by all involved, ratepayers, officials and pensioners alike'.

(b) *rent and housing*: More so by the eighteenth century, rent payments were being made, often directly to private landlords, for parishioners

who could not through their own means maintain a roof over their heads. Landlords would not hesitate to call on the parish for the rent of their poorer tenants (Oxley, 1969, p. 28). 'In some parishes it amounted to nearly one-half of the total poor law expenditure' (Webb and Webb, 1963a, p. 168). The 'poorhouse' was another form of accommodation, a simple structure that served as a free shelter; it was not normally a formal institution with staff. Pensioners, paupers and sometimes the disabled and sick lived there. In addition, some parishes owned houses which the poor could rent at a reduced rate or live in rent-free. By the early 1830s (the years when the best data are available), the proportion of community housing (that is, parish-owned houses and charity houses) varied from one county to the next, but in some cases could be quite large, representing 38 per cent of the total housing stock in Warwickshire, 27 per cent in Bedfordshire and 24 per cent in Buckinghamshire (Broad, 2000, p. 168). Another standard living arrangement was provided for children and elderly people with no immediate family. They could be looked after in the home of a caregiver who lived in the community, usually a woman, who would be paid by the parish for her services.

(c) *the provision of work*: This, a much less significant aspect of poor relief, was generally done within a workhouse, though these institutions employed no more than a small fraction of people who needed assistance; the rest were on the dole. Only large parishes could afford to build workhouses. They were expensive to construct and had substantial operating costs. Sometimes, as an alternative to the workhouse, materials and tools could be provided to people for use in their own residences.

(d) *apprenticeships*: Much more important than the provision of work were apprenticeships, the standard method of providing for children typically aged nine and over, sometimes orphans but more so those from very poor families, though the 'death of one or both parents made it all the more likely that the parish would take on such responsibility for a poor child' (Kent and King, 2003, p. 133). The apprenticeship of paupers 'should be seen as a means of transferring children from families which could not support them to families which could' (Wales, 1984, p. 376). Boys were generally apprenticed to crafts while girls were apprenticed to 'housewifery'. A 'master' would voluntarily agree to apprentice a child while providing for that child's maintenance and education. In the absence of volunteers, the parish would sometimes demand that local masters take on apprentices. Between 1697 and 1844, legislation was in place which 'stipulated that local masters and mistresses might be forced

to take quotas of parish apprentices, and fined heavily if they refused to do so' (Hindle, 2004, p. 203). In other cases (more so after 1700), a group of children could be taken in by one person, often a factory owner, where they would be employed making items such as hosiery, lace, silk and carpets. Boys and girls were apprenticed, sometimes in 'batches' of 50 or more, to the proprietors of the early cotton and woollen mills, a practice most prominent in the last few decades of the eighteenth century (Rose, 1989).

(e) *medical assistance*: This was an integral part of poor relief. There was no separation between 'health' and 'welfare' in the eyes of both parish officials and recipients. Assistance provided included repairs to broken bones, inoculation, vaccination, medicines, provision of midwives for births, care of the sick, admission to hospital for serious cases, nurses and surgeons' fees and every now and then alcohol – wine, brandy and ale – for medicinal purposes. In early modern England, even 'a relative could expect, and received, payment for looking after someone who was ill' (Wear, 1991, p. 48). Health care grew in importance after the mid-eighteenth century when parishes began to appoint medical officers (Fissell, 1989; Thomas, 1980). Medical practitioners were often paid for each service performed, presenting annual or semi-annual accounts to the parish. By the nineteenth century, more doctors were being appointed on annual contracts and paid a flat rate to meet all the needs of the poor. Those relieved might have all or part of their fees covered by the parish, depending on their financial circumstances. The most common treatments were for 'accidents and injuries, such as fractures and dislocations, bruises and sprains, sore throats, leg and mouth ulcers, boils and abscesses, and sore eyes' (Williams, 2005b, p. 161).

(f) *burial expenses*: These could include shrouds (made, by law, out of sheep's wool), coffins, gravediggers, pallbearers, affidavits, minister's fees and the tolling of the bell.

(g) *'bastardy' expenses*: These were the amounts spent attempting to legally enforce paternal support for children. Parish officials sometimes travelled to other towns and villages in search of a man, often with a warrant that had been issued for his apprehension, intent on serving him with a 'bastardy order' should they find him. ('Gave to Jno Brain to go after Hannah Wilks' man £3 5s. 0d.') (cited in Ashby, 1912, p. 97). Parishes occasionally spent more trying to enforce these orders than they received back in maintenance from the father.

(h) *in-kind benefits*: These included repairs to cottages (wood, nails, thatching and carpenter's wages), food (usually grain, but also bread, potatoes, flour, meat, salt, sugar and butter), clothes (coats, shirts, boots, shoes and undergarments), household 'necessaries' (soap, candles and bedding), and fuel (coal, wood and peat). More often the goods listed in the accounts were what parishioners were expected to purchase with the money given to them by overseers.

(i) *administration*: Especially important in this category were the expenses related to settlement and removal (more on this in the next chapter). These would typically include attending petty sessions, paying attorneys' fees and warrants and hiring men (sometimes constables) to escort paupers back to their parish of settlement. There were other smaller administrative charges, such as the drinks that were occasionally had in the local pub after the vestry meeting ('Spent at Month's night at the White horse £1 1s.') (cited in Emmison, 1933, p. 91).

After 1600, relief practices were extended rather quickly throughout the country (Beier, 1989; Leonard, 1965) so that by the 1620s, 'poor rates were universal in the larger towns and increasingly common in more populous rural parishes' (Slack, 1988, p. 128). Hindle (2004, p. 251) concurs, noting that by the late 1630s, 'the rating and pension provisions of the late Elizabethan poor laws were very effectively enforced in the Midlands, and arguably across rural England as a whole'. To give one example, in Kineton hundred (Warwickshire), 87 per cent of parishes had a poor rate by the 1630s (Fideler, 2006, p. 109). From the 1560s to the 1640s, the number requiring relief jumped substantially, rising from about one-twentieth of the population to as much as one-third in some parishes (Beier, 1989, p. 234). In general, by the early seventeenth century, the proportion of those who would receive assistance on a constant or occasional basis over a decade or two in any given parish was usually in the range of 10–20 per cent (though not all were obtaining relief at the same time).⁵

The years 1600–1640 were especially marked by the more vigilant role of the Privy Council in providing direction to local government in the form of Books of Orders, released during grain crises. The revised – and most famous – version issued by Charles I in September 1630 did not call for a radical transformation in the treatment of the poor. Its main effect was to encourage standardization of relief methods in the south where, by now, virtually all substantial parishes had a poor rate. The intention of publishing the Book was, as it had been over the previous

half-century,⁶ to get corn into the hands of the poor by ensuring the observation of strict market rules. The justices of the peace were required to meet with constables, churchwardens and overseers to inform them of the orders, and this group of local officials would then report once a month to the JPs on how the various aspects of poor relief were being organized and implemented. It is a mark of the success of English agriculture that nothing similar to the 1630 Book of Orders was ever used again. From this point on, the existence of food, for the most part, would not be a problem. The price of food, though, would in the next century and a half serve as a major source of class conflict. It was no longer seen as necessary to be regulating the distribution of basic goods to people in the face of abundance (relative to the Continent, at least). However, for the poor, being able to afford access to that abundance was another matter.

In the seventeenth century, administrators began to give more attention to the able-bodied who were becoming a noticeable and permanent fixture in poor relief records. A few municipal governments raised funds to purchase materials to help make work for individuals or, alternatively, furnished incentives for manufacturers to take on the poor, yet this type of activity was not common. After 1600 or so, parish 'authorities did not as a rule provide work for the labouring poor. Instead they gave them cash payments to supplement inadequate wages, thus vastly expanding the number of people on relief' (Slack, 1988, p. 29).

There were still few men or women in need who were totally unemployed. Earning money by selling one's labour-power was, as a rule, an important income supplement but usually not the sole source of one's livelihood. The poorest of the poor were the few 'unfortunates' who relied solely on wages and who, when 'down and out', sometimes resorted to begging or petty theft. Incarceration was now being used even more extensively in dealing with these individuals who teetered on the margins between work and vagrancy. For example, an act passed in 1610 ordered houses of correction (bridewells) to be built in every county.⁷ These 'mixed' houses – half workplace, half prison – continued to place their emphasis on punishment. As in the past, they committed just a handful of people each month, many of whom stayed for only a few days or weeks. Nevertheless, construction of a large number of these institutions persisted so that 'by 1630 a network of bridewells covered the whole of England', including its rural areas, a 'more truly distinctive – and much less commonly observed – feature of English experience' (Innes, 1987, p. 62).

By 1640, the provision of poor relief was deeply rooted, with a history that went back some 80 years. The endurance of assistance in the ensuing two decades of social upheaval has been the source of some debate. It had long been accepted by earlier writers that by 1660 the smooth operation of the poor laws had been significantly altered in such a way that they had 'fallen very largely into desuetude and even into oblivion' (Webb and Webb, 1963a, p. 323). Recent research, however, has suggested that the Civil War did not furnish a major challenge to the durability of the administration of assistance to the poor. While there were some problems in 1642–1643, poor relief did not disintegrate at this time. In Warwickshire, there were nearly three times as many relief cases from 1649–1660 compared to 1630–1641 (Beier, 1966, p. 78). Ronald Herlan's (1979, p. 35) study of seven London parishes from 1640 to 1660, which accounted for inflation, suggests 'continuity and resilience, not disruption and breakdown of public assistance to the English poor'. Jeremy Boulton's (1997, pp. 22–3) analysis of London's West End (mostly St Martin-in-the-Fields) shows relief expenditures going from £820 on the eve of the Civil War to £1140 by the Restoration, jumping further to £2700 by 1680. Coates (2000, p. 47) has noted that poor law expenditure in Westminster parishes declined only slightly between 1641 and 1644, from £1879 to £1797. In sum, 'the payment of pensions continued unabated during the war' (Oxley, 1974, p. 18). Spending may not have been sufficient to meet needs (when is it in any capitalist society?), but it did not decline much, if at all, in most parishes. In addition to regular expenditures, Joanna Innes (1987, p. 77) has observed that the number of bridewells in operation remained roughly constant throughout the revolutionary period, with some new ones opening while others closed.

The Civil War certainly did not prevent the nation's largest city from undertaking a major social experiment in 1649 in the form of the London Corporation of the Poor. This organization was created with the expressed intent of developing a work site, as opposed to establishing yet another gaol-type house of correction. Two buildings were eventually obtained. By 1655, roughly 1000 adults and 100 children were employed (in a city with a population of 375,000). However, the corporation ran into financial difficulties and ceased operations just five years later, in 1660 (Pearl, 1978). Its influence was to live on, though, in the form of similar projects undertaken at the end of the century. Experiments outside London at this time were negligible, perhaps because many able-bodied men were drawn into the army, either parliamentary or royalist, hence the need to provide assistance to the unemployed had declined.

The old poor law, 1660–1795

The following period, from the end of the Civil War to the late eighteenth century, is often described as one of 'decentralization', when local governments were basically left on their own, 'abandoned' by Parliament. For example, Geoffrey Taylor (1969, p. 25) has argued that after 1660, the Poor Law 'was administered by men whose responsibilities ceased at their parish boundaries, whose actions were in no way called to account, and whose increasing difficulties all too often failed to attract the attention of a myopic central government'. This view is a vast overstatement. It fails to account for the fact that direction from London was, for the most part, no longer required. Assistance to the poor had been operating smoothly for almost 100 years and grain was being produced in abundant supply, so there was in fact little need for intervention in the nature of Books of Orders. The benefits of agricultural 'improvement and formal transfer payments through the poor-relief machine rendered granaries and market regulation superfluous' (Slack, 1992, p. 17).

After 1660, provision for the 'impotent' continued apace. However, the method of dealing with the able-bodied that had been developed, for example by the London Corporation of the Poor, began to garner criticism on the grounds that the commodities produced by these endeavours could be purchased cheaper from other sources, and that such institutions were harmful because they established work in occupations where a large number of people were already unemployed (Pearl, 1978, pp. 231–2). It seems clear that decision-makers accepted the arguments of commentators who were opposed to government attempts to create work. And yet, while some writers decried the futility of interfering with the market, others criticized the lack of state involvement which allowed the poor to receive their sustenance without working for it, especially at a time when poor rates were (correctly) seen to be rising. This latter group promoted their cause in a number of pamphlets published from the Restoration to the 1690s, including Sir Matthew Hale, Sir Josiah Child, Richard Haines, Roger North and John Locke, all of whom were opposed to individuals who, in Haines' (1965, p. 489) words, 'live idly, and by the sweat of other men's labours'. Some of these writers espoused a new hope: that it might be possible to not only put the poor to work, but to make a profit from their labour. A number of optimistic proposals were forwarded with the intent of ending the practice of maintaining 'idle' persons via public assistance. It was suggested that labour could be sold cheaply to private entrepreneurs, or the government could employ

the poor at subsistence pay on public works such as fixing roads. Either way, there would be a conscious attempt to make work available to people. Refusal of an offer of employment would mean that one would lose one's claim to relief. At the same time, responsibility for finding work was increasingly being pushed down onto labourers themselves. Daniel Defoe was no doubt reflecting a growing upper class concern when he wondered why 'it is our business to find them work and to employ them, rather than to oblige them to find themselves work and go about it' (cited in Marshall, 1969, p. 47).

The primary effect of these calls for change was the movement in towns to form Corporations of the Poor, based on the recent experiment undertaken in London. Different parishes were to be united over a large geographic area in order to create a more efficient method of administration. The first of these was instituted in Bristol in the 1690s, when 19 parishes were combined. From 1698 to 1712, about a dozen other centres copied the Bristol model. One of the main objectives of these unions was to build a substantial workhouse in order to deal with the unemployed, while consciously avoiding the creation of the more authoritarian houses of correction. But this objective would never be met.

It is difficult to date the founding of workhouses (as opposed to bridewells or poorhouses). Webb and Webb (1963a, p. 215) suggested that the first recognizable one was built in the 1640s at St Giles-in-the-Fields, a suburb of London. These institutions were involved in manufacturing items such as shoes, linen garments, cotton cloth, lace, fishing nets and paper bags as well as producing fabrics like hemp, wool or flax. Their main drawback was that they were expensive to run and they quickly ran up substantial debts. The high maintenance costs included the house itself, furniture, clothes, food, and the tools and raw materials for employment. They also had great difficulty competing because they were typically producing goods for which there was little or no demand, and they were using generally unhealthy labourers who were, no doubt, lacking in profit-creating talents and skills. In just about every area that attempted this experiment, it became apparent within a few years that it was much cheaper to maintain people on out relief in the form of small cash payments. In Bristol itself from 1696 to 1714, the rates rose by 50 per cent and 'the workhouse lost £1,980 in the first seven years of its operation. It turned to unskilled occupations, such as pinmaking, ceased to teach skilled trades, and finally became a hospital' (Slack, 1988, p. 200). The workhouse that was part of the revived London Corporation of the Poor suffered the same fate. The intent was to hire

boys and girls to spin wool, yet within a short time the Corporation was maintaining roughly 400 vagrants over the course of a year, in addition to a similar number of children. By 1711, the workhouse was £3300 in debt. Few children were admitted after 1713 and the institution became yet another house of correction for vagabonds and beggars (Macfarlane, 1986). Workhouses, then, often began with the intention of profitably employing the poor, but they almost always turned into mixed workhouses containing all types of destitute, non-able-bodied people. The overall record of such endeavours, writes Steve Hindle (2004, p. 173), 'is of experiments aborted after a couple of years of frustration and waste'.

Despite its failure as a make-work scheme and its inability to produce a profit, the workhouse thrived during the eighteenth century. The reason, especially important from the 1720s on, was that these institutions, regardless of their relative expense, were useful in serving as a deterrent to those seeking relief. The Workhouse Test Act of 1723 gave parishes the right to refuse aid to individuals who declined to enter the house. As a result, hundreds of workhouses were constructed between the 1720s and 1780s, often by smaller parishes that had combined just for this purpose. Parish officers hoped that the presence of these buildings would mean that, with the 'offer of the house', only those who were in extremely desperate financial circumstances would seek assistance, hence the rates would be kept down. It was also felt that a number of families had exaggerated their claims of poverty because doles and pensions were supposedly easy to obtain and that the houses would reintroduce some badly needed self-discipline. The workhouses were seen as a way of weeding out the 'indolent' and the 'burdensome' who were believed to be responsible for the graduated but pronounced increase in rates. One official in Maidstone in the 1720s was pleased with the effects of the new workhouse: 'Very great numbers of lazy people, rather than submit to the confinement and labour of the workhouse, are content to throw off the mask and maintain themselves by their own industry' (cited in Webb and Webb, 1963a, p. 245). The workhouse test was vigorously applied in some parishes. However, it did not take long before overseers realized that the 'needs of many of the poor were unquestionable' and as a result 'the test was reserved for borderline cases' (Oxley, 1969, p. 36). Regardless, rural parishes also formed unions beginning in the 1750s. These areas of the country attempted to keep their rates down by developing better houses of industry, despite the fact that by the mid-eighteenth century many administrators were realizing that 'the

workhouse movement had failed, utterly and completely' (Marshall, 1969, p. 145).

A survey undertaken in 1776 counted slightly fewer than 2000 workhouses in England (with only 19 in Wales). 'The given capacity of all these institutions was almost 90,000, ranging in size from two to 500 inmates, with the typical house having a capacity of twenty to fifty inmates' (Taylor, 1972, p. 61). This total excluded many of the bigger workhouses, located in large towns and cities, which had been constructed under the authority of particular acts of Parliament. Some of these contained over 1000 people. One example is Liverpool, where in 1794 the house maintained about 1200 individuals, only about one-third of whom were capable of working, usually with textiles and cloth. The staff included a governor, school teachers, servants, cleaners, washers, cooks, a gardener and at least twenty nurses (Oxley, 1969). Given this, it is not surprising that, according to Marshall (1969, p. 146), a report to the House of Commons in 1776 found 'that in no case was a workhouse able to pay its way on the money earned by its inmates'. The problem, as noted, was that while workhouses began with the intent of creating work for the able-bodied, they usually evolved into a form of housing for the impotent poor and vagrants. After 1800 or so, little employment was undertaken in these institutions because of the decline of crafts and the rise of larger, capital-intensive industries, 'for it was spinning, carding, weaving, knitting, beating and winding various materials that were the principal workhouse employments' (Taylor, 1972, p. 69). Workhouses were always more successful at looking after individuals who were on permanent relief. Over time they had become virtual asylums, caring for orphaned children, the chronically ill, the mentally disabled, the aged and unwed mothers.

Bridewells, the other form of institutionalization, continued to provide employment, punishment and discipline in their attempt to reform individuals 'guilty of no more than petty delinquencies considered to be especially characteristic of the poor: "idle and disorderly" behaviour of various kinds, unlicensed begging, vagrancy, and the like' (Innes, 1987, p. 42). Seventeen new bridewells were constructed between 1690 and 1720, mainly in recently industrialized areas. By the 1770s, newer structures were being built 'with unprecedented attention to the details of prison design' (Innes, 1987, p. 96). The total bridewell commitments in the early 1770s were in the order of 9000 to 14,000 per year, roughly one person per parish.

Another substantial effort at cost cutting that arose out of the Workhouse Test Act of 1723 was the practice of contracting out services to

the poor. From the 1720s to the 1830s, a number of parishes hired private individuals to take care of some or all of their 'charges' in return for an agreed upon remuneration. This procedure, known as 'farming' the poor, 'appears to have been the cheapest way of dealing with them, and there can be no doubt that the practice was very extensively followed' (Marshall, 1969, p. 139). Contracts were also undertaken for the provision of medical assistance, the care of children and the mentally disabled, as well as the detaining and removal of vagrants.

The private contractors would, of course, attempt to make a profit from this endeavour (though they usually did not), either by producing goods in the workhouse or by keeping costs below the amount received from the parish vestry. It was often in this individual's interest to make the conditions of the institution unappealing, so many people would refuse to enter the house and could, as a result, be denied out relief. If they chose to come inside and draw on the contractor's budget, they would often be given as little sustenance as possible. When this system was in force, the contractors operated within an arrangement that almost guaranteed that the poor would receive inhumane treatment.⁸ The fact that individuals had 'to bid against each other, as to which of them would take the poor at the lowest price, inevitably led to an ever-increasing brutality' (Webb and Webb, 1963a, p. 279). Justices of the Peace, well aware of this situation, often declined to order the 'respectable' poor into these houses. Their harshness was one of the reasons for the growing calls for out relief for the able-bodied in the second half of the eighteenth century. Contracting out a parish's poor was not common by 1800 and was a rarity by the 1830s.

The need to reform the system was acknowledged with the passage of Gilbert's Act in 1782. It encouraged the creation of poor law unions (the amalgamation of parishes for administrative purposes). These would be especially useful in providing care for the impotent poor, who were now to be the sole residents of 'workhouses'. Gilbert's Act incorporated the accumulated knowledge of the previous 100 years of poor relief practice when it deemed that houses should be places that relieved children, the infirm and the aged, but not the able-bodied unemployed. It also asserted (in the words of the Webbs) that, when a man required work, 'it was the duty of the Poor Law Authority in all parishes either to find him employment at wages, or else to maintain him and his family on Outdoor Relief' (Webb and Webb, 1963a, p. 276). The pervasive acceptance of the need to give outdoor assistance to the able-bodied is seen by the fact that in the early 1830s, only two of 368 towns were relieving such individuals indoors (Taylor, 1972, p. 65).

From the mid-eighteenth century, assistance to the poor was characterized by rising costs, beyond inflation, along with an increase in the number of able-bodied persons on relief. This was especially so in the south after 1760, when surplus labour in agriculture was becoming a serious problem and cottage industry, especially woollen cloth production, started a slow decline. As a result, many parish accounts contain 'statements, often the first recorded, pertaining to able-bodied males in need of relief', a change in the accounts that was 'of a more permanent nature' (Huzel, 1989, pp. 771–2).

By the end of the century, the domination of agrarian capitalism was contributing to rising relief costs. For example, in the 1790s, the average apprenticeship in the southeast counties had fallen to under four years, down from six and one-half years in the 1750s (Snell, 1985, p. 236). Long-term hirings for farm servants of from three months to a year were harder to come by. The new socioeconomic practices 'threw unmarried labour onto the parish during the winter, when they had previously been kept by the farmer' (Snell, 1985, p. 98). In addition, real wages fell by about 18 per cent in southeastern counties between 1767 and 1795 (varying from 12 to 28 per cent) (Boyer, 1990, pp. 34, 47). Parliamentary enclosure also played a role in creating poverty. Snell (1985, p. 150) studied the seasonal distribution of male unemployment in southern England ten years before and ten years after enclosure, using settlement examination data from the 1730s to the 1840s. He concluded that there was a strong relationship between higher rates of seasonal unemployment and enclosure, and that the change within ten years after enclosure 'was sudden, total, and permanent'.

For these reasons, by the 1790s, poor relief had become a substantial stabilizing element of the English economy. The amount spent on the poor had grown significantly. In 1610, the total, including charity and government relief, was about £40,000. Relief alone amounted to £200,000 in 1650, £550,000 in 1700, £690,000 in 1748–1750, £2 million in 1783–1785, and £4.3 million in 1802–1803 (Slack, 1988, p. 207, 1990, p. 30). These increases were large, 'far outstripping price inflation and population growth' (Beier, 1985, p. 174). From the 1690s to the 1750s, poor relief expenditure per capita roughly doubled and it nearly doubled again by the 1800s (Slack, 1990, p. 30). As well, the vast majority of the amount going to the poor was now being channelled through parish vestries. In 1600, roughly two-thirds of the money available for the poor came from private charities. By 1700 approximately three-quarters was coming from public taxation (Slack, 1988, p. 171) and almost all of it

was by the end of the eighteenth century. In addition, it was no longer just the south that had to deal with poverty. The poor rate was universal in England by 1700 (Slack, 1990, p. 26). At this time, even in the north-east, 'out-relief had become the standard method of maintaining the poor throughout the region, often unconditionally' (Rushton, 1989, p. 142).⁹

The expansion of funding for the poor was to become the focus of considerable discussion near the end of the eighteenth century, and it would not be the monies allotted to the aged and disabled that raised concern. Rather it was the growing number of unemployed workers relying on relief who were the focus of criticism. The able-bodied poor had always been seen as a significant drain on the nation's resources, but now more so than ever. Analysts proposed numerous reasons to account for this 'idleness', everything from depressed trades to the absence of a work ethic. In addition to this, however, poor relief itself was coming under scrutiny as being one of the principal causes of unemployment. The calls for reorganization that were put forward revolved around two questions that had shadowed poor relief from the very beginning: Who was entitled to relief? And how was assistance, particularly to the able-bodied, to be administered? These were long standing issues, often discussed in Parliament, especially in the second half of the eighteenth century (Connors, 2002). This debate, though, was about to move in a new direction with the advent of a major economic crisis in the 1790s. Now, in a significant break with the past, proposals were circulated recommending that the poor laws be completely dismantled. Most commentators, however, did not consider abolition to be a serious option. Nevertheless, the voices defending the status quo were growing weak.

Poor relief versus land and common rights

Relief provisions under the old poor law were a result of the fact that the social relations of exploitation which prevailed in the late medieval era and those that appeared in the ensuing centuries were radically distinct. Much had happened in the intervening years to make the creation of poor relief not just possible but unavoidable. At the start of this period, say on a mid-fourteenth century manor, most peasants would have had access to land while also enjoying common rights. Members of the community would see little change over the course of their lifetimes. Their well-being was secure, thanks to customary law. Exploitation certainly existed, but even this surplus extraction, because

it was grounded in custom, would have been routinized, only occasionally proving to be a source of contention. Cooperation was the essence of life because bringing in the maximum grain yield required that the community develop and follow a set of regulations. Of course, the peasants' world should not be romanticized. They lived in a stratified society and, especially for those at the bottom, keeping body and soul together was always difficult. Nevertheless, the disparities in the ownership of means of production were not immense in the way that they are, for instance, in capitalist society. In the post-plague era, only about 2 per cent of individuals in England had been reduced to just a cottage and a garden. Even through most of the fifteenth century, people were flourishing because of the lower land-to-labour ratio brought on by the large reduction in population in the 1340s. At this time, say the 1470s, customary tenure still brought a fair degree of stability to the lives of the peasantry, and poor relief was negligible. Except for periods of famine, charity and private benevolence were (minimally) adequate to meet the challenge posed by the small numbers in need.

If we move forward 150 years to the early 1600s, we find a nation that was profoundly remodelled. While there were not many enclosures throughout the sixteenth century, almost half of all arable land had been enclosed by 1600 (Wordie, 1983, p. 502). This, combined with the increasing social stratification brought on by the competitive process, and the movement of land from the customary to the leasehold sector, meant that the number of peasants reduced to mere cottagers no longer numbered in the tens of thousands, as it had in the late fourteenth century, but was now in the order of two million (Lachmann, 1987, p. 129). Wage-labour in agriculture, once the major recourse of perhaps 10 per cent of a village, was an essential component in the earnings of roughly half the population (Lachmann, 1987, p. 17). Custom, which had placed substantive and communally driven limits on exploitation, was being eclipsed by competition, with its anarchic markets and its destruction of the agreed upon values of the village, creating a society that was more in flux. Life was ruled increasingly by individuals, 'entrepreneurs' who wielded decision-making power that was once held by the community. From c. 1540 onwards, the English state intervened in these new social relations, with efforts to assist and punish the poor, commissions to study the effects of enclosure, sporadic attempts to create make-work programmes for the able-bodied, and an escalation of criminal sanctions against individuals who protested or resisted social change. Poor relief itself was an important weapon of state control that

could be used to discipline the needy. Forfeiting one's access to assistance for violations of property was not unheard of. For instance, an order issued in the rural Essex parish of Great Easton in 1603 stated that:

If any poor pensioner shall break any hedge or shall unreverently abuse any that is a contributor to the poor [they] shall for every such offence be put from their pensions for that week wherein the said offence of breaking of hedges, pulling up of stiles [a series of steps on each side of a fence], breaking of gates, [or] carting away either rails or bars shall be committed.

(cited in Emmison, 1953, p. 21)

In the last one-third of the sixteenth century, there was an emerging division between the 'political' and the 'economic' in England. In this society, the task of taking care of those in need would not become the direct responsibility of the growing class of tenant-farmers. The juridical relation between lord and peasant, along with their mutual rights and responsibilities, was being dissolved. Agrarian capitalists would merely employ 'hands' and were under no social or legal obligation to provide an acceptable standard of living to them, especially if these individuals had large families. Assistance to the indigent was to become a 'public' function and, so long as it operated smoothly, in the sense that it did not interfere with the labour market or increase in cost, it would not become a major concern to the renters (and owners) of private property.

If we move forward once more to, say, the 1780s, we find that access to substantial common rights and any land beyond a small garden was a distant memory for most people. Parliamentary enclosure would ensure that the common land that did remain would soon be inaccessible to all but a few. Capitalism had changed immensely, becoming a dominant presence in agriculture, forcing many individuals to find employment in areas not yet encompassed by capitalism (though they soon would be). Work in both agriculture and domestic industries was becoming precarious. This was reflected in the rise in poor rates throughout the eighteenth century in absolute and per capita terms. More people required help, they tended to need more of it, and requests for assistance were increasingly being made by able-bodied males.

Poor relief was a response to the fact that a growing segment of the population did not hold land because access to it was, for the most part, dependent on the ownership of capital. Land was no longer a guarantee of membership in a community and of seasonal work (at harvest

time, for example). The movement away from the manorial economy was a qualitative change in the way that social relations were organized. The old way of living was replaced by a fluctuating market for work, typified by constant insecurity. In the second half of the sixteenth century, underemployment and unemployment were recognized as new phenomena by political economists (N. Wood, 1994). If people are landless, and have no access to common rights, they must *search* for employment, the level of which in any given area may be suitable to meet the needs of capital, but inadequate for those requiring work. In this situation, there is only one way to prevent people from starving to death. In a country that was quickly developing the ability to feed itself, with a growing market for food, it must have soon become apparent that the most efficient mechanism for dealing with the new form of poverty that was being created was simply to give money to those in need.

Poor relief was an intervention in the slowly evolving class relations that coincided with the origins and development of agrarian capitalism. It was an adjustment programme which provided some benefits to people during the three centuries of this transition. Poor relief was a substitute for access to land and common rights, a virtual exchange of money as compensation for the creation of absolute private property, brought about by competition, enclosure and engrossment. This, of course, was not a trade that involved equivalents, as it seriously reduced the independence of those who no longer had recourse to the means of production. Poor relief was a different form of the old common right, peculiar to the new type of class society that was unfolding. What could no longer be obtained from physically occupying land would now be purchased on the market with the funds provided from taxation. From the perspective of the landed classes, poor relief was the price to be paid for an 'improved' method of exploitation. It would ease the potential for conflict between agrarian capitalists and the growing body of poor people, especially those seeking work. It would also provide assistance to groups like the elderly and disabled whose skills were of little value to capitalist-farmers in an environment of heightened competition. How else could these individuals be cared for in an economy that was increasingly demanding able-bodied workers, capable of socially average levels of production?

For the poor, when the means of subsistence could not be obtained on the market, they would be provided by the state. Poor relief would help the lowest 5–15 per cent of the population at any given time, and perhaps the bottom one-third over a period of a few decades. For the

country as a whole, in the course of 20–30 years, the numbers assisted would have been in the millions. One can only imagine the threat to order if this many people, owning nothing and having little to lose, were set adrift in society.

Agrarian capitalism had changed in the period c. 1570–1760, from its beginnings to the point where a substantial proportion of the English peasantry had been removed from the soil. At the same time, this was a gradual process. For example, the percentage of families who were involved in agriculture, who worked as labourers, or were cottagers or paupers, fell from 59 per cent in 1688 to 52 per cent in 1759 (Mitchell, 1988, p. 102). This was a manageable drop over 70 years (though change was somewhat more dramatic in the century 1570–1670). It should come as no surprise, then, that poor relief could remain fairly stable, given this 200-year period of adjustment.¹⁰ There were consistent calls for reform in terms of creating jobs, building workhouses and so on, yet there was never a perception that the system was in a deep crisis.

The alterations to social life undertaken in the next 70 years, from 1760 to 1830, were much more radical than what had occurred in the previous half-millennium. Most importantly, the status of agriculture in the economy was about to be marginalized, in terms of its contribution to total production and the number of people it employed. The percentage of families involved in agricultural pursuits would fall from 52 per cent in 1759 to just 28 per cent in 1831 (Mitchell, 1988, pp. 102–3). These modifications of agrarian capitalism, rooted in its incomparable levels of productivity, were to usher in the two most substantial revisions in relief practices since the Elizabethan era: Speenhamland and the new poor law.

5

Speenhamland, Settlement and the New Poor Law

This chapter covers, for the most part, the period from the appearance of the Speenhamland system of allowances (around 1795) to the passage of the new poor law in 1834 and its implementation in the following decades. I will challenge a number of observations that have been made in the literature by arguing that Speenhamland did not produce a pervasive 'demoralization' of the lower classes; that allowances did not keep the poor tied to their parishes, preventing the development of a labour market; and that settlement laws did not restrict worker mobility to any great extent. I go on to give a condensed survey of the main points made in the royal commission report of 1834 as well as a description of the new poor law, highlighting the continuities and the discontinuities with the old poor law. The chapter concludes with my interpretation that the new poor law did not mark a major rupture between a 'moral economy' and a 'market society'. I suggest instead that this law was part of a crisis in the agricultural sector of English capitalism and that Speenhamland and the new poor law did not create England's labour market. Rather, these policies were a response to the maturation of that market.

Speenhamland to Swing, 1795–1830s

A severe economic downturn in England in the 1790s pushed many people to the brink of destitution. This period of 'scarcity', especially the years 1794–1796 and 1799–1801, brought rising prices, hunger-related diseases and near-famine conditions to many areas. The result was an increasing number of food riots as protesters attempted to obtain grain in order to feed their families. Something had to be done. It should

come as no surprise that in the era of the French Revolution, when the definition of 'liberty' was being hotly debated, and when the sales of Thomas Paine's *Rights of Man* (1791) were in the hundreds of thousands, that something was, in fact, done.¹

This crisis was addressed in a comprehensive manner in Berkshire County by 18 justices who met at Quarter Sessions in the Pelican Inn in the village of Speenhamland on 6 May 1795. In response to the problems faced by their local area, the justices established an 'allowance in aid of wages'. From that point on, a person's income was to consist of what the (usually agricultural) labourer could earn in the free market plus a supplement that was to be provided by the parish. This 'top up' of wages was known, over the ensuing 40 years, as the 'allowance system' (the term 'Speenhamland' was applied by later historians).

Some nineteenth-century writers, notably Sir George Nicholls, incorrectly pointed to the Pelican Inn meeting as being the origin of allowances (Neuman, 1972, p. 91; Oxley, 1969, p. 29). However, this practice was not new. Monetary assistance to full-time workers with large families had existed in some communities since the early 1600s (Marshall, 1937, p. 47). From the 1770s onwards, the rates were more often being used to bring incomes up to a minimum standard, so the 1795 decision was hardly seen as a landmark by contemporaries, and they rarely referred to it in the coming decades. Its fame lies in the fact that the Berkshire 'bread scale' was published and became relatively well known (Huzel, 1989, p. 775).²

In the areas of the country where this method of poor relief was eventually adopted, a family's income was to be linked to two factors: the number of children that had to be cared for, and the price of bread, the most essential source of food for the poor and one that could take up to half of their wages. Even fully employed single people could receive assistance, though allowances almost always went to support households that had large numbers of children. The Speenhamland model of dealing with poverty was implemented in thousands of parishes over the next 40 years, typically in areas dominated by agriculture. The allowances were used mainly during periods when food prices were high; they were often withdrawn after the temporary crisis subsided (Williams, 2004, p. 59). Parish use of allowances peaked in 1795 and again in 1800 (Boyer, 1990, p. 11).

Another form of allowance was also used in some parishes. It was given to parents who were in need because they had large families. This allowance, unrelated to the price of bread, was based solely on the number of children. Depending on the parish, payments could begin

with the third, fourth or fifth child and they stopped when the oldest son or daughter reached the age of ten or twelve. Hence, this money would always be a temporary form of assistance to any given family, ending when the oldest child went above the age limit. It amounted to roughly £3.9 per year, per child, which was not inconsiderable, since the annual earnings of an agricultural labourer were £28 (in 1832) (Boyer, 1990, p. 154). Ninety per cent of parishes had child allowances in 1824, down to 55 per cent by 1832 (though still at 69 per cent in agricultural counties) (Williams, 1981, p. 151).

The 'Speenhamland system' was not nearly as prevalent as analysts like Karl Polanyi (1957) have implied. A clear illustration of this is Neuman's (1982) study of Berkshire County, the home of Speenhamland. He used a sample of 16 parishes where, in all but one, agriculture was the chief occupation. Even in this case, however, in the period 1795–1834, '*not one parish* of the sampling can be said to have definitely adopted the Speenhamland scale at any time' (Neuman, 1982, p. 160). Some parishes provided extra assistance during difficult times but withdrew such assistance as quickly as possible. For instance, in October 1800, the parish of Bradfield gave flour to families with children; the practice was ended in the summer of 1801. In the few parishes where allowances in aid of wages existed for brief periods, the allowances were never as generous as those listed in the famous Speenhamland table. In six of the 16 parish account books, there were occasional references to 'bread money' having been given out, yet 'a striking fact about these entries is that they are so infrequent. Perhaps two or three males who might be able-bodied laborers may have received those sums weekly in a parish of many hundreds' (Neuman, 1982, p. 163).

Allowances in aid of wages and child allowances were not the only innovative form of welfare provided in the Speenhamland era (1795–1834). These years also saw the extension of two relatively novel ways of providing work, particularly in southern England. One was the 'roundsman' or 'ticket' system. This method of employing labour was important in agricultural areas especially after 1815, though it was likely in decline by the 1830s. Workers would present themselves after church on Sunday in order to offer their services for the following week, or they would simply go 'round' the community seeking employment and, if successful, the parish would provide a wage supplement to farmers in return for hiring them. Individuals on the rounds carried a ticket which the employer signed when the work was done. If no jobs were available, then all the relief a person required would be received from the parish (Huzel, 1989, p. 780). The following is an early example of a roundsman

agreement from Caddington, Bedfordshire, signed by the overseer, the churchwarden, and six parishioners:

Memorandum of an agreement at a vestry on the 26 day of October 1781; for the purpose of employing the poor by rotation; or what is commonly called Going the Rounds; it were then agreed on that when any poor person could not get employment to maintain himself and family; he shall apply to the overseer for the time being and he shall send him to be employed as follows:

Every person who shall be taxed at 10 pounds in the poors rate shall be obliged to employ such labourer one day or pay him for one day according to the directions under written; and so every renter respectively for every 10 pounds so charged in the overseers tax book; and the payment of such labourers shall be as follows –

To every labourer having 3 children or more not fit for labour, 1s. 0d. per day; every labourer having one or two children, 10d. per day; every labourer having no child, 8d. per day; every single person not a widower, 6d. per day.

(cited in Emmison, 1933, p. 51)

The second (very similar) way of providing work, especially in the winter months during the 1820s, was the 'labour rate'. The basis of this method was an agreement within the parish to provide for all labourers who were out of work. The overseers calculated the total amount needed to relieve the unemployed and a proportional charge, usually based on the size of property, was laid on all farmers. If a farmer hired workers up to this amount, he would be excused from paying the rate. If not, he would be assessed, and a labourer would do a stint of work on his farm in return for the tax that had been paid. In other words, the farmer had to pay wages, rates, or some combination of the two and, as a result, often took on workers that he did not need, especially if the farm was a small family business. The theory behind the labour rate was that employable individuals should only receive money if they worked for it. Idle hands were to be empty hands.

A major effect of the Speenhamland-styled policies was to bring a larger number of people (especially males) into the system of social assistance. Depending on the parish, between 15 and 40 per cent of the population were helped by charities or poor relief in the first half of 1795 (Wells, 1988, p. 295). At the turn of the nineteenth century,

11.4 per cent of the population of England and Wales received assistance, either permanent or occasional. It is important to note, however, that this relief did not comprise 100 per cent of their earnings. For instance, a family receiving an allowance for one child would have been considered to be on permanent relief. Relief also varied significantly among different areas of the country. The extreme case was in Sussex which had 30,200 individuals on permanent relief (81 per cent of the total receiving aid) and 6900 on occasional relief (19 per cent). Those assisted represented 22.6 per cent of the county's population. If we focus just on the number who were on permanent relief, the figure drops slightly, to 18.4 per cent (Williams, 1981, p. 149). Hence, approximately one-fifth of the population in Sussex was being supported, in some way, on a full-time basis from the rates. At the same time, more than four-fifths of men, women and children were not in receipt of a penny of relief.

In 1802–1803 there were 1,041,000 people on relief in England and Wales, 874,000 (84 per cent) able-bodied adults and children in addition to 167,000 (16 per cent) who were non-able-bodied. There were 735,000 (71 per cent) on permanent relief and 306,000 (29 per cent) on occasional relief. Of those on permanent relief, 651,000 (89 per cent) were receiving assistance outdoors and just 84,000 (11 per cent) were indoors. Of those on outdoor relief, 336,000 (52 per cent) were adults and 315,000 (48 per cent) were children. Of the adults relieved outdoors, 236,000 (70 per cent) were widows or men who were temporarily sick, while about 100,000 (30 per cent) were able-bodied men who were out of work or earning low wages (Williams, 1981, pp. 42, 149–50).³

The consequences of the poor law practices that were extended in the 1790s were quietly accepted by Britain's property owners over the next two decades. The revolutionary ideas blowing from across the Channel and England's war against the French interpretations of 'freedom' and 'justice' were no doubt responsible for this approval. In addition, the nearly 20 years of military campaigns had contributed to a long stretch of economic prosperity in England. However, from 1815 to the late 1830s, the nation was to experience a general agricultural depression as jobs in the farming sector disappeared. One of the main reasons for this was that mechanization – the target of the Luddites' anger – was beginning to spread. There was a similar problem in areas that were urbanizing, as industries like cotton cloth production came increasingly under the dominance of capital and machines. The end of the war with France also reintroduced a substantial number of individuals, including

one-eighth of the male workforce, back into an over-supplied labour market (Snell, 1985, p. 315).

In the late 1810s and throughout the 1820s, outright unemployment was becoming the primary cause of destitution, more so than bad harvests or high prices. In the southeast (Essex, Kent and Sussex) from 1814 to 1820, increasing relief expenditures were the result of a lack of sufficient work (Baugh, 1975, p. 57). From around 1800 and more so over the next three decades, the cost of assisting the poor was rising because of the need to give 'extensive outdoor relief to families where unemployment, underemployment, or insufficient wages had eliminated or reduced the earning power of the male breadwinner' (Huzel, 1989, p. 770). In this period, poor relief provided what were, in effect, unemployment benefits to seasonal labourers who were out of work (Boyer, 1990, p. 9). K.D.M. Snell (1985, p. 195) has shown that parliamentary enclosure was the major cause of this 'joblessness' and the resulting increase in parish assistance. He focused on areas where substantial amounts of land had been enclosed by an act of Parliament in the period 1802–1831 and discovered 'that as much as 83 *per cent* of the variation in poor relief in these counties can be explained by the percentage of land enclosed'. The solution to this problem, especially into the 1820s, was to give allowances to families with three or more children or to adopt a labour rate.

Between 1817 and 1832, real poor relief expenditures rose by 23 per cent (Boyer, 1990, p. 196). In this period, the provision of Speenhamland-styled welfare assistance to the able-bodied was increasingly denounced and was subjected to an unrelenting attack. The argument made was that the allowance system had to be curtailed or, if possible, abolished. There was growing opposition to providing public money to individuals who had private employment, regardless of the number of children they had. Many contemporaries who looked at the expenditures expressed concern over what was seen as an overly generous level of government support. The cost involved, however, was not always the most significant point of contention.

The major criticism of post-1790s poor relief policy, more so than expenditures, was that it was causing distortions in the labour market. The new welfare provisions of the Speenhamland era had been developed in part because farmers wanted to maintain an adequate supply of potential employees in their local areas. The old social relations, which provided a ready-made workforce for the farms, had long since disappeared. In the medieval era, lords could require most available able-bodied tenants and their family members to take part in the

harvest. The 'obligation of harvest work is one of the most familiar features of the manorial system' (Ault, 1965, p. 13). After the lord's grain had been taken in, the tenants would look after their own fields. At the turn of the nineteenth century, though, the situation was different. Labourers, of course, were still in high demand during the harvesting season. However, as virtually landless people, they were faced with the reality of not having much employment during the rest of the year, especially in winter. Speenhamland was meant to deal with this situation, but the unintended consequence was that agricultural work was being subsidized and was no longer able to find its 'natural price'. The rates and roundsman systems constituted 'a pool of cheap labor that the whole community was forced to pay for' (Dunkley, 1982, p. 75). This led to calls for reform throughout the 1820s.

Modifying poor relief was seen as a precarious undertaking by some individuals, especially the 'paternalistic' segment of the gentry who were not yet convinced by the increasingly influential theorists of political economy. Those who were still hesitant to commit themselves to reform, however, had their minds changed by the 'Swing' riots in southern England in the winter of 1830–1831. These disturbances were thought to be the result of 'demoralization', and it was argued that a new poor law would eliminate the root causes of riot by creating 'independent' labourers. Those who pushed for changes suggested that, with the end of allowances, a more invigorated able-bodied workforce operating at higher levels of productivity would be able to take care of itself, with little need for public assistance. Other critics countered that if the poor were ill-treated by new legislation then the recent social upheavals would surely continue. This view did not garner much support, though, since there was now widespread agreement among those who held political power that reforms had to be undertaken. This was reflected in the opinion of economist Nassau Senior who argued that it was, more than anything, the maladministration of poor relief that had caused disturbances 'in the most extensive and most important of all political relations, the relation between the employer and the labourer' (cited in Dunkley, 1982, p. 96).⁴ Only a thorough reorganization of poor relief would ease the conflict that had erupted between classes, especially in agricultural areas.

The growing calls for reform in the 1830s have tended to obscure the fact that, by this time, certain facets of Speenhamland had already been virtually dismantled. For example, Karel Williams (1981, p. 151) has estimated that the number of rural parishes providing allowances in aid of wages had fallen from 41 per cent in 1824 to just 7 per cent

by the early 1830s and that by 1832, 45 per cent of parishes were giving neither child allowances nor wages out of rates.⁵ This notwithstanding, the Royal Commission on the Poor Laws was called in February 1832, and it published its final report two years later, in February 1834. A new poor law was in place within six months.

Speenhamland and the capitalist labour market

Speenhamland was a response to the major crisis of work and subsistence in southern England in the mid-1790s, a time of acute food shortages. The solution that was adopted was to provide wage supplements and allowances for children as well as to create work on the farms in order to offset extremely high unemployment. It was an emergency measure designed to alleviate a potentially explosive situation brought on by the pressing needs of the poor in a rapidly changing economy. It is important, as well, to recall that these expedients were developed in the context of a war against Revolutionary France, a conflict which had resulted in the revival of radical ideas in England on a scale that had not been heard since the 1640s.

Even with this necessity of addressing rural poverty, Speenhamland has a bad reputation. It is typically viewed as a well-intentioned activity that turned out to be a dismal failure. R.H. Tawney (1967, p. 317) referred to the late eighteenth century changes in poor law practices as 'the hateful Speenhamland policy'. Hobsbawm and Rudé (1968, pp. 47, 50) described it as a 'tragedy' and 'a disastrous alternative to the simple increase in basic wage-rates'. Hammond and Hammond (1978, pp. 109, 111, 118) made reference to 'that unhappy May morning in the Pelican Inn' which created 'a universal system of pauperism' because it 'provided a maintenance for the poor by a method which sapped their spirit and disarmed their independence'. For Peter Mathias (1983, p. 238), Speenhamland was 'a serious social and economic liability' because, among other things, 'it demoralized the labourers who received help'. Karl Polanyi (1957, pp. 79–81, 99) called Speenhamland 'an unfailing instrument of popular demoralization', a veritable 'death-trap' because 'no laborer had any material interest in satisfying his employer, his income being the same whatever wages he earned'. The result, he continued, 'was ghastly' because 'the self-respect of the common man sank to the low point where he preferred poor relief to wages'. Polanyi linked the allowance system to the situation of the poor, saying it 'eventually ruined the people whom it was ostensibly designed to succor'.

However, as Mark Blaug (1963, p. 152) has noted, 'only an incomplete theoretical analysis of the workings of the Speenhamland policy and a superficial examination of the facts could have produced so one-sided an interpretation'. There is little doubt that Speenhamland caused some 'distortions' in the capitalist market for labour, and that minimum wages might have provided a better solution to the problem of low incomes. Nevertheless, it does seem that the comments noted above carry within them, not just a critique of the treatment of the poor, but of the character of the poor themselves. These assertions are based on an uncritical repetition of the conclusions of the Royal Commission report of 1834. Karl Polanyi (1957, pp. 98–101) went even further than this and used the 'findings' of the classical liberal economist Harriet Martineau to support his ideas on the moral failings of the poor.

It is reasonable to assume that a number of the poor were dispirited and demoralized. It is questionable, though, that the substantial part of the blame for this state of affairs should fall on the methods of providing welfare, as opposed to the social relations of capitalism which were the root of this poverty, unemployment and alienation. Speenhamland was a type of guaranteed annual income. Still, the vast majority of people continued to work at difficult, low-paying jobs. Some individuals, however, may have taken advantage of allowances to avoid unpleasant labour. These few, certainly a small minority, are then deemed to be representative of the group as a whole. The idea of the supposed total 'demoralization' of workers has been repeated so often by historians, with hardly any supporting evidence, that it has become a 'fact' merely through its repetition. Many analysts have accepted this standard view, judging from their vociferous criticisms of allowances, and yet the Poor Law Report's discussion of the Speenhamland system, 'which has been quoted by generations of historians as an indictment of the practice of subsidizing wages is, in fact, an attack on all welfare payments made to families whose breadwinner is currently employed' (Blaug, 1964, p. 232). In an assessment of Speenhamland written in the early 1960s, Mark Blaug (1963, p. 152) suggested that 'the kind of arguments which are used to condemn the Old Poor Law *per se* would equally condemn most modern welfare legislation'. It is unfortunate that this sound insight has been ignored by many commentators, especially when support for the 'demoralization' thesis is almost non-existent.

More important than its psychological effects on the poor, Speenhamland has been accused of obstructing the fluid movement of workers throughout the country. Hence, it has been deemed to be a major contributor to the existence of poverty, because its generous provisions discouraged people from moving to urban areas in search of job

opportunities. No one has done more to perpetuate this myth than Karl Polanyi (1957, pp. 77–8, 80–1, 83). He stated that ‘from 1795 to 1834, the creating of a labor market in England was prevented through the Speenhamland Law’. This law was a ‘powerful reinforcement of the paternalistic system of labor organization as inherited from the Tudors and Stuarts’. It had ‘introduced no less a social and economic innovation than the “right to live”, and until abolished in 1834, it effectively prevented the establishment of a competitive labor market’, as well as ‘the emergence of a working class’. One of the goals of the government that came to power in 1832 was ‘to remove this obstacle to the new capitalistic economy’. As such, Polanyi saw 1834 ‘as the starting point of modern capitalism’ as compared to the Speenhamland years which were ‘an essentially precapitalistic age’. The Poor Law Amendment Act, then, ushered in the market economy. This view is still a common assertion. For instance, Mitchell Dean (1991, pp. 172, 214) maintained that it was only after 1834 that ‘the poor law can be said to secure the conditions of the capitalist labour market’. The new poor law removed ‘the obstacle presented by poor relief to the generalisation of the condition of wage-labour as the sole means of subsistence for able-bodied adult males without property’. He concluded that Polanyi’s interpretation ‘can therefore be endorsed’.

There is significant evidence, however, to show that the granting of poor relief did not inhibit labour mobility. Huzel’s (1980) work, for one, contradicts the idea that people stayed in their parish because they did not want to give up their access to welfare. He concluded that in the years when allowances were readily available, they did not prevent migration. Areas with high levels of poverty also had relatively high levels of out-migration, as the able-bodied left their parishes in an effort to secure employment. ‘Even if one concedes that it was mainly single and young males who left, this is a far cry from the Malthusian assertion that such persons, lusting after the dole, married early, and remained in their parishes’ (Huzel, 1980, p. 381). This conclusion is supported by Williams (2004, p. 81). She compared recipients of poor relief to non-recipients in two Bedfordshire parishes and found that the ages of marriage of the men and women receiving relief ‘were not so very different from their peers’ and that ‘it was “hard times” rather than marrying young or having a large family alone that tipped the balance for these families and necessitated a period of parish assistance’.

The view that Speenhamland was a major obstacle to labour mobility is grounded in two errors. First, that the creation of the market for labour was only possible once allowances were removed. Defenders of this claim seem

to have been influenced by conservative ideologies which suggest that 'welfare' is automatically harmful to a capitalist labour market and that that market cannot flourish (or even exist?) in the presence of social assistance. Paid labour, however, was the sole source, or at least a major source, of most workers' incomes long before 1834. For some, wages may have been combined with a garden, independent home-work or, increasingly rare, common rights. A small minority may have been able to subsist with little or no need to sell their labour-power. In general, though, by 1800 most able-bodied males worked for money, and at any given point at least nine out of ten of them were not obtaining public assistance.

The second error is that the generous post-1795 welfare arrangements had introduced a radical new philosophy, the 'right to live', and a corresponding practice, the allowance system. But Speenhamland-styled allowances did not introduce such a right, even though the discourse of rights was becoming more popular at this time, thanks to the writings of radicals like Thomas Paine. The 'right to live' had existed since the beginning of stratified societies and no philosopher, with the possible exception of T.R. Malthus (1970), had ever argued against it, nor in England had any parish ever denied relief to those facing 'serious evils', such as a grave illness or starvation. What the allowance system did initiate, however, was the right of individuals to live at *a basic level of comfort*, thus greatly enhancing their peace of mind and their ability to challenge the rule of capital. Bread scales 'represented minimum incomes for *all* poor, whether employed, unemployed, unemployable, disabled or ill' (Wells, 1988, p. 293). It was this 'luxury' that the new poor law was meant to remove.

Settlement laws and the capitalist labour market

Another myth that has developed on the relationship between the labour market and the poor laws has to do with settlement rules.⁶ From at least 1662 down to the twentieth century, each person in England and Wales was designated one parish, their 'settlement', where they had an unqualified right to relief. These rules began to appear in the mid-sixteenth century, because there was a growing reluctance on the part of parishes to take care of people who were seen as someone else's responsibility. This was especially true of places that had compulsory rates.

Removing individuals from one community to their parish of settlement, especially beggars and vagrants, had been undertaken since at

least 1547. Despite confusion over settlement laws, in the first half of the seventeenth-century judicial interpretations made it clear that 'neither magistrates nor parish officers were legally entitled to remove the poor from any parish simply on the grounds of their destitution, still less if they were merely likely to become chargeable' (Hindle, 2004, p. 309). The Act of Settlement of 1662 (An Act for the Better Relief of the Poor of this Kingdom) formalized this system. It dealt with the problem 'of defining the classes of persons whom a parish was obliged to relieve' (Styles, 1963, p. 34). Now, every person 'belonged' to a parish and, if they lived outside its boundaries, they could be moved back to it. This applied not just to those begging or seeking relief. People could be removed even if they were fully employed, law-abiding subjects. Having a settlement typically depended on one's place of birth (or that of one's parents), subsequent marriage (for women) or ownership of substantial property. After 1662, one could also gain a new settlement by paying a minimum amount of rent for accommodations (£10 per year) or by living in a community for 40 days without being confronted by an official with a 'just complaint' against one's arrival in the parish. A number of changes were made in a 1691 statute (and a modifying statute of 1697) which meant that a settlement could be obtained as well by merit, in particular by 'paying parish rates; serving a year in a public office or charge; completing an indentured apprenticeship' or at the conclusion of 'an annual hiring, if the individual were unmarried and without children' (Taylor, 1976, p. 51).

According to a number of writers, settlement regulations were a major impediment to the formation of an integrated labour market. This view has its origins, no doubt, in Adam Smith's (1976, pp. 151, 157) famous assertion that laws on mobility were an 'oppression' and a 'violation of natural liberty and justice'. The injury caused by these kinds of restraints on movement, he claimed, lay in 'the difficulty which a poor man finds in obtaining a settlement, or even in being allowed to exercise his industry in any parish but that to which he belongs'. So restrictive were these laws that 'it is often more difficult for a poor man to pass the artificial boundary of a parish, than an arm of the sea or a ridge of high mountains'. Again it was, to a great extent, Karl Polanyi's (1957, pp. 77–8) work that standardized this interpretation. He argued that the Act of Settlement prevented labour 'from forming a national market by strict legal restrictions on its physical mobility, since the laborer was practically bound to his parish'. The observations of Smith and Polanyi seem to have carried the day. The conclusion that the settlement laws had a negative effect on out-migration from rural areas 'has been

echoed in several of the leading textbooks on British economic history' (Boyer, 1990, p. 173). It is still a dominant assumption in a number of recent works. For instance, Albritton (1993, p. 430) suggested that 'poor families could not easily move from one parish to another because of the Settlement Acts, thus the mobility of labour-power was sharply constrained'.

Taylor (1989, p. 169) has commented, with respect to the laws of settlement, that 'no part of the Old Poor Law has been so repeatedly misunderstood, and not only on minor points of law'. The purpose of settlement regulations was to deter residents from other parishes (the 'out-poor') from claiming relief. For the most part, the legislation did not interfere with the mobility of labour. Overseers generally enforced the Act only on those who were likely to become chargeable to the parish. It was never the intent of the Act, nor was it the result of the Act, to impede workers from moving into areas with a high demand for labour. People could work in a different parish, but they could not claim relief there. Single, able-bodied men with jobs were rarely 'removed' (returned to their settlement after a parish had obtained permission from the judiciary in the form of a removal certificate). Rather than issue a removal order, it was almost always cheaper to give individuals 'casual' relief, especially if it was clear that these people would not require long-term assistance. Almost all parishes resorted to this form of relief 'as the safe, cheap, conscience-salving option; yet it is rare to find it recorded [in account books and settlement records], for it entailed no formal examination, no removal order, no litigation, and few costs' (Taylor, 1989, p. 14).

In general, it was 'undesirables' who were forced to leave, since they were seen as providing no benefits to the parish while drawing on its resources. Typical removals would have been a husband and wife with two or three small children, a pregnant single woman, a single woman who had recently given birth to a 'bastard', or a mother and her children, 'the husband being dead, in the army, in prison, or away looking for work and sometimes having completely deserted the family' (Collins, 1981, p. 77). Taylor (1976, p. 55) noted that the 'primary effect of the Law was to reinforce constraints on movement arising from illness, having a family, or growing old'. Often, removal was to the next village, a mile or two down the road. About half the removals were for distances of ten miles or less, 'say three hours walk for a young and unencumbered man and perhaps only four or five hours for a family with young children' (Collins, 1981, p. 74). Moreover, removal orders could be disputed by the parish where the individual was to be sent. They could appeal

to Quarter Sessions (though this was not done often). In East Yorkshire during the eighteenth century, there are records for 457 appeals. In 251 of these cases (55 per cent), the original removal order was quashed, indicating that it was not always easy for parishes to rid themselves of unwanted inhabitants.

More evidence on the nature of settlement can be gathered from primary sources. An excellent collection has been edited by Hitchcock and Black (1999) for Chelsea for the years 1733–1766, encompassing 466 examinations (a legal process of determining an individual's parish of settlement, requiring the examinant to make an oath before two justices of the peace – or, on occasion, one justice). Over the 34-year period covered by these records, there were on average 14 examinations per year. This figure can be compared to the fact that Chelsea had about 1800 inhabitants in 1717 and around 6000 by the early 1760s, so the number examined was always an extremely small proportion of the population. These examinations were entered into two large, bound volumes, indicating a complete record. Almost all the cases involving pregnancy and bastardy begin with the phrase: 'The voluntary examination of...'. In other words, the women being interviewed were not coerced into appearing before the justices. In these freely given statements, the reputed father would be named. The woman would also give the place and approximate date that he had 'carnal knowledge of her body' and she would affirm that the man named 'is the true father of the said child or children with which she is pregnant'. In these cases, the parish 'was in effect enforcing the rights of the mother and child against the father' (Hitchcock and Black, 1999, p. viii).

From the records collected by Hitchcock and Black, I calculated that of the 466 examinations, 44 involved bastard children and 36 concerned pregnant women (for a total of 80 or 17 per cent). There were also 113 cases (24 per cent) involving men and women aged 50 and over. A smaller sample gives us a better picture of who participated in examinations. There were 82 cases in the six-year period from 12 June 1749 to 26 July 1755. There were four cases of bastardy and five cases of pregnant women, none of whom were passed to another parish. There were 34 cases of men and women aged 50 and over, including a 63-year old widow with a 25-year old daughter 'now afflicted with lunacy'; a 50-year old woman with a seven-year old son, her husband having 'left this examinant and went to Flanders with General Otway, and has not been heard of since'; a 67-year old man, an 'in pensioner of the Royal Hospital at Chelsea' with a 45-year old wife and a 12-year old daughter, he 'not in circumstances able to support and maintain his said family without

relief'; a 60-year old out-pensioner of the hospital, 'ill of a consumptive disorder' and 'not capable to support himself or [his] wife'; a husband and wife, both aged 77 years, the man described as 'being ancient and infirm' (Hitchcock and Black, 1999, pp. 67, 77, 83, 90–1). Most of the other 'elderly' did not reveal any special circumstances. It seems they were examined simply because they were old.

Of the 39 remaining cases, there were 14 married men and women with children, four husband and wife couples, seven widows and one widower, seven single men, and six single women. In this group, there were at least four cases where the husband had 'absconded' and one case of a wife whose husband 'keeps another woman'. Some were victims of violence, including one clear case of rape; one where a woman left her apprenticeship because she was 'ill used' by the family's milk carrier; and a 45-year old man, recently discharged from the army, who as a youth absconded service because his master 'frequently beat and abused him'. Others had health problems, including a widow in a 'very bad state'; an unemployed man with a 'dangerously ill' wife; a sick man, his wife 'big with child and near her time of reckoning'; a widow with two children, one 'being out of his senses'; and a man with a 21-year old son, 'an idiot and lame with the palsy'. In many of these cases, the examinants claimed to require 'some assistance and relief'. In turn, officials typically deemed them to be 'likely to become chargeable to the parish' (Hitchcock and Black, 1999, pp. 75, 79, 83–6, 89). For the group as a whole, it is difficult to see their examination as constituting some form of 'regulation' or 'monitoring' of the labour market, as Norma Landau (1988, 1990, 1991, 1995) claimed, especially when the small number examined is compared to the overall population. This was not a case of interrogating the best and the brightest. It was more likely to be an investigation of the bent and the broken.

The settlement laws were also in place during the years when cities began to grow, an indication that there was much migration involving tradesmen, apprentices and former farm workers. For example, from 1700 to 1800, the population of Birmingham went from 7000 to 69,000. In Liverpool it increased from 6000 to 78,000 and in Manchester it went from 9000 to 70,000 (Whyte, 2000, p. 67). The population of London was 400,000 in 1650 and 675,000 in 1750, but because the death rate was so much higher than the birth rate, generating this population increase would have required a net in migration of about 8000 people *every* year (Pickles, 1996, p. 30), which means that at least 800,000 individuals moved to London in this period. The vast majority of a city's growth could be accounted for by migrants. For example, Nottingham grew

from over 5000 in 1674 to almost 11,000 in 1739, yet over 90 per cent of this increase was accounted for by net migration (Pickles, 1996, p. 30). 'It is, accordingly, a great exaggeration to suggest that the Law of Settlement and Removal prevented the people from changing their places of work and residence' (Webb and Webb, 1963a, p. 335). On average, over roughly two centuries, only about one or two individuals per parish were removed in any given year (approximately 30,000 people per annum).⁷ The number of people removed was 'infinitesimal compared to the millions of people comprising the migration across time' (Wells, 1993, p. 89).

Analyses of surnames in many areas have shown significant levels of change as well, indicating that people moved frequently, despite the existence of allowances and settlement rules. 'In pre-industrial rural England one may generalise that about one person in two was married to someone born in a different community and that about 50 per cent of married couples lived in a place where neither of them had been born' (Kitch, 1992, p. 72). In Odiham in the period 1541–1700, almost two-thirds of the population eventually left the parish where they were baptized, while in the years 1601–1840, over 40 per cent of burials were of individuals born elsewhere, men and women who had emigrated to Odiham (Stapleton, 1988, pp. 49–50). Especially in London, few of the poor 'who survived infancy could have lived within the bounds of a single parish. Virtually all were at one or another time in their lives sojourners' (Taylor, 1989, p. 138). People did move to get married, but more so because they were seeking employment at harvest time, or they were entering service as a domestic (women) or a farm worker (men). 'Parish population turnover was extremely high, especially among the many with little or no property' (Snell, 1991, p. 399). Mobility, then, was relatively common, even if it was over fairly short distances of about ten miles. Clark (1979, p. 59) says of the period 1660–1730, and for at least a century before, 'migration was an almost universal phenomenon'. The data show that 'the great mass of English people, men and women, country-dwellers as well as townspeople, migrated at some time in their lives in the late seventeenth and early eighteenth centuries' so, combined with the evidence for the years before the Civil War, 'we must conclude that migration was not the exception but the social and demographic norm, indeed the usual way of life, in early modern England' (Clark, 1979, p. 72). Whyte (2000, p. 22) agrees, noting that for most people in Britain, migration 'was a normal feature of life'.

The small constraints placed on individuals were also accompanied by rules to help people move in search of employment. From the 1690s,

certificates were more frequently used as a way of assisting the mobility of labour (Styles, 1963, p. 49). These were written promises from one parish to another that it would take back labourers if they became chargeable. Certificates were a type of passport whereby the parish granting them 'assumed liability, within certain limits, for the bearer if at any future time he required poor relief' (Taylor, 1976, p. 70). By the 1690s, individuals with certificates could not be removed unless they claimed relief.

The following are two early examples of certificates. The first is from a General Vestry meeting in the parish of Great St Mary's, Cambridgeshire, in 1675, where the 23 signatories to the certificate

resolved and agreed that William Cole and Rebecca his wife, now inhabitants of All Saints parish, and late of this parish, shall be no charge nor burden to the said parish of All Saints, and in case they or other of them come to want, so as they cannot maintain themselves, then they shall be taken in as our poor, and received into our parish as inhabitants again, witness our hands the day and year above written.

(cited in Hampson, 1934, p. 144)

The second is from the parish of Corsham in 1671:

Whereas Melicent Bradley of our parish of Corsham for the more convenient getting her livelihood desires to live in the parish of Lacock, wherefore if the parishioners of Lacock shall permit her so to do we the minister, churchwardens and overseers of the poor of Corsham aforesaid do hereby promise that if at any time during our being in office the said Melicent Bradley shall happen to become chargeable through sickness or age or lameness, the parishioners of Corsham promise to defray and pay all such charges or else upon request made by the overseers of the poor of Lacock aforesaid to receive back into our said parish of Corsham she the said Melicent Bradley and do hereby declare her to be an inhabitant of Corsham aforesaid.

(cited in Hinton, 1940, p. 200)

There was also a more informal (non-certification) recognition of out-poor. For instance, a couple of Sussex parishes, less than two miles apart, corresponded as follows in 1759: 'Acknowledge Isaac Blink and Ann his wife to be our parishioners...and as your parish of Hurstperpoint has Thos White and his family in our parish...we will take the same

acknowledgement from your parish for them' (cited in Wells, 1993, p. 93). Certificates were complimented by a later innovation known as 'non-resident relief'. This was assistance given to people currently living in one place, paid for by their old parish of settlement. People from small towns and villages, in effect, had access to a subsidy which they could fall back on when in necessity. By the 1720s, it was common for overseers to send letters to other parishes requesting reimbursement, if the overseers had decided not to remove the individuals in question. In some places, support for non-residents became such a standard part of procedure that special forms were developed 'with columns for writing in the names of relief recipients, the period in which they had been relieved, and the cost' (Taylor, 1991, p. 193).⁸ Overseers would receive funds from other centres and would also disburse monies to support their own poor living elsewhere. Accounts between parishes were sometimes settled on a quarterly basis for whole groups of paupers. For example, a bill sent to the parish of Hulme in 1829 read: 'Preston to Hulme for Ellen Bury, £2 10s; Our paupers in Hulme at £4 11s. and hence balance in your favour £2 1s.' (cited in King, 2005, p. 170). Non-resident relief usually went to pay for widows, the aged and the disabled – people whom the cities were most likely to return, and the people whom rural areas least wanted to see again. Cities were usually prepared to pay relief from their own coffers to the able-bodied with employable skills. 'In sum, the parishes of settlement agreed to pay nonresident relief only for those paupers whom they thought the industrial cities would in fact remove' (Boyer, 1990, p. 258).

In Manchester, which has the most detailed records, there were roughly 19,000 non-resident (or 'out-township') relief cases per year between 1811 and 1848, paid for by the parish of settlement (Taylor, 1991, p. 200). King (2005, pp. 165, 167) has concluded, based on six Lancashire parishes, that 'we can obtain a broad estimate that over forty per cent of all parish and township poor were resident elsewhere by the early nineteenth century and that one quarter of all financial resources were spent on them'. In one case, the parish of Hulme 'had regular or periodic arrangements with twenty-nine parishes covering a radius of over one hundred and sixty miles'.

It was also important for labour mobility that the poor tended to view their settlement as a guarantee, as the one place where they had a right to relief. There is hardly any evidence of the poor protesting against the rules of settlement, despite Adam Smith's assertion that the law was an infringement of personal liberty. One's settlement was the place where one could return, or be sent back to at the expense of some parish, in

order to make a claim for relief. As Taylor (1989, p. 172) noted, in making a point that is often overlooked, settlement laws 'rested on the principle that each person had a *right* to relief, not merely in an abstract sense but *from* a specific agency and *at* a particular place, with the concomitant right to appeal if relief were not forthcoming or was inadequate in amount'. This provided the poor with a sense of security. It enabled them to move from a depressed area to one with greater employment opportunities. Rates were being used to provide people with personal items and cash which helped them in the process of adjusting to their new surroundings. The regulations also allowed migrants, in their search for work, to leave their kin behind knowing that these individuals would be cared for, so settlement laws and non-resident relief may have 'conducted to *greater* mobility than might otherwise have occurred' (Snell, 1991, p. 401).⁹

Settlement laws and Speenhamland may have slowed down the development of a national labour market to some small extent. However, these two aspects of English poor relief definitely did not prevent the appearance of this market, which grew in tandem with settlement regulations dating from the 1660s and was virtually complete by the end of the eighteenth century when allowances were first used in a considerable number of parishes. Indeed, Speenhamland came face to face with the *final* birth pangs of the labour market, which increasingly consisted of individuals who were being pushed out of agriculture and into employment in manufacturing, mining, building, trade and transport.

The Poor Law Report of 1834

The Poor Law Report of 1834 was not concerned with individuals who through old age, illness or disability could not work. The focus of its analysis was out relief to the able-bodied. This was seen as the 'great source of abuse', in particular allowances and the roundsman and labour-rate systems (Checkland and Checkland, 1974, p. 82).¹⁰ The constant theme running through the report was that this type of assistance had to be eliminated. This was especially so, the Commission asserted, since one of 'the most encouraging of the results of our inquiry is the degree in which the existing pauperism arises from fraud, indolence, or improvidence' (393).

A major failing of outdoor relief, according to the report, was the way it had transformed the worldview of the lower classes. Now, the poor were expecting what they called their 'make up' or 'bread' money as some

sort of right. One magistrate in particular objected to recipients referring to their relief as “the county allowance”, sometimes “the Government allowance”, sometimes “the Act of Parliament allowance”, and always “*our income*” (219). C.P. Villiers, an assistant commissioner, observed that this rights-based argument had its origins in the days of the French Revolution when

it was deemed wise by many persons at this time to present the Poor Laws to the lower classes, as an institution for their advantage, peculiar to this country; and to encourage an opinion among them, that by this means their own share in the property of the kingdom was recognized; and to these notions, which were prevalent at that time, must be ascribed the spirit in which the Poor Laws have been administered for thirty years past.

(cited at 212)¹¹

The Royal Commission associated rural discontent with the idea that, amongst the poor, entitlement was thought to be based on rights. This notion had to be eradicated. The lower classes had to be made to understand that there was only one source of income: the wage contract. The mouths of the poor were full of phrases like ‘*reasonable* subsistence’, ‘*fair* subsistence’ and ‘*adequate* subsistence’ (123). As such, there was no longer any embarrassment attached to asking for certain forms of relief. There was a ‘constantly diminishing reluctance to claim an apparent benefit’ (115–6) and the so-called needy felt ‘wronged to the extent of whatever falls short of their claims’ (121). This was especially true of allowances. One magistrate argued that labourers ‘in their own minds make a wide distinction between “taking their bread money” and “going on the parish”’ (98). ‘Pauperism’ and ‘independence’ were becoming confused in the minds of the poor, because too many people were living on a combination of wages and relief. As a result, the commissioners wanted to establish a difference between a pauper – a destitute person who would die if not for assistance – and an independent labourer, one who would have to rely solely on an income and who would not be given any relief unless there was an immediate danger of starvation. They made a case for ‘the restoration of the pauper to a position below that of the independent labourer’ (337).

The objective of this, I argue, was to reinstate an ideologically powerful status distinction between the two, such that the labourer could be considered ‘independent’, ‘moral’ and ‘industrious’ while those forced to seek assistance would feel unworthy and ashamed. Independent persons

would be ones who did not have access to the means of production *and* who would also agree to sell their labour-power for a wage. A free individual would not be a beggar, beholden to no one, like the infamous 'masterless' men who had become more common in the sixteenth century. Rather, the status of independence would only be ascribed to someone in a subordinate position within a relationship of exploitation, and no longer to a person who tried to step outside these relations (while also lacking the capital to be self-employed). Independence, in the eyes of the Commission, would be achieved by 'dispauperizing' parishes; that is, making it difficult if not impossible for people to 'choose' welfare over work by ensuring that social assistance now carried with it the personal failure associated with having to enter a workhouse.

Speenhamland was believed to be having pernicious effects. With this system of relief, labourers were not 'exposed to the vicissitudes of hope and fear' (133) because they have 'all a slave's security for subsistence without his liability to punishment' (132). One consequence of this was that people became spendthrifts, due to the fact that they expected the parish to take care of them. Given this life of ease, it 'appears to the pauper that the Government has undertaken to repeal, in his favour, the ordinary laws of nature' (135). The system, then, was thought to encourage idleness. One witness seemed to sum up the feelings of the commissioners when he suggested that labourers 'will not go in search of the meat of industry if they can sit down and eat the bread of idleness' (366). The levels of relief were too liberal, it was argued. In one case, a pauper who emigrated to Montreal eventually saved enough money to return to England, mainly because he had to work while in Canada, since 'he was obliged punctually to pay rent for his lodgings instead of being provided with a cottage at the parish expense' (492). What was perceived as lazy behaviour had to be altered. The commission would accomplish this by rejecting the idea that it was the duty of government to alleviate poverty (though it accepted the role of the state in preventing indigence, a point where people were in danger of perishing due to the lack of the means of subsistence). The report felt it was clear that 'destitution, not merit [that is, citizenship], is the only safe ground of relief' (392).

It was evident in the Commissioners' minds that the main aim of any reforms had to be 'to throw the labouring classes on their own resources' (132). According to one official, an alternative policy must have as its goal 'to make the parish the hardest taskmaster and the worst paymaster that can be applied to' (119). As such, those relieved should have a standard of living lower than the poorest workers. This was deemed to be feasible: 'Even if the condition of the independent labourer were

to remain as it now is, and the pauper were to be reduced avowedly below that condition, he might still be adequately supplied with the necessities of life' (337). In addition, the Royal Commission felt that wages would improve because after reforms, with more people working and fewer on the dole, the 'fund' on which workers drew their incomes would be larger as a result of increased production, so wages would rise.

The goals of the Commission could only be implemented if current methods of relief were abolished. Allowances, of course, had always been problematic because they directed 'the overseers to *regulate* the incomes of the labourers according to their families', with the result that 'idleness, improvidence, or extravagance occasion no loss, and consequently diligence and economy can afford no gain' (156). Also unacceptable was the labour rate, where occupiers paid in wages and/or taxes in proportion to the assessment of their property. Some commentators liked this form of welfare because it forced the poor to work for their money. However, this system, as previously noted, hurt small farmers who did not need extra labourers. An even more damning criticism was the fact that the labour rate, like allowances, did not draw a sharp enough line between the two conditions of pauperism and independence:

Our inquiries have convinced us that it is only by keeping these [two] things separated, and separated by as broad and as distinct a demarcation as possible, and by making relief in all cases less agreeable than wages, that anything deserving the name of improvement can be hoped for. But under the labour-rate system relief and wages are confounded. The wages partake of relief, and the relief partakes of wages. The labourer is employed, not because he is a good workman, but because he is a parishioner. He receives a certain sum, not because it is the fair value of his labour, but because it is what the vestry has ordered to be paid. Good conduct, diligence, skill, all become valueless. Can it be supposed that they will be preserved? We deplore the misconception of the labourers in thinking that wages are not a matter of contract but of right.

(325)

Eliminating allowances and 'make-work' schemes was only half the battle. If the system was to be fundamentally changed, an even more important requirement was to introduce new management methods into the workhouses. From now on, any able-bodied person who requested relief was to be offered a place 'indoors'. It was expected that many would decline, therefore the 'workhouse test' would prevent relief

being granted to those who were supposedly exaggerating their needs. Administratively, the offer of relief would only be undertaken when someone came forward and made a claim; hence, 'the line between those who do and those who do not need relief is drawn, and drawn perfectly' (378). The commission pointed to parishes such as Bolton (Lancashire), where this system was in operation, and suggested that pauperism had declined significantly in these areas because the poor disliked the rules and constraints of the House: 'they soon found that by persevering industry and a little management, they could live above pauperism; and they left us with their habits improved, to make their way in the world without parochial assistance' (344). In the Commission's view, these local successes had to be translated into a national policy. The chief measure for implementing this was that 'all relief whatever to able-bodied persons or to their families, otherwise than in well-regulated workhouses... shall be declared unlawful, and shall cease' (375). One correspondent, in an account of a modified workhouse at Falmouth, gave a description of the intent of the proposed policy:

Profit is not to be expected from workhouse labour. If it were practicable to convert workhouses into manufactories, which it is not, the measure would be most impolitic; for every shilling thus earned in the house would be at the expense of a labourer out of doors.

The true profit of parish labour is to form industrious habits.... Into such a house none will enter voluntarily; work, confinement, and discipline will deter the indolent and vicious; and nothing but extreme necessity will induce any to accept the comfort which must be obtained by the surrender of their free agency, and the sacrifice of their accustomed habits and gratifications.

(386)

In order to implement these reforms effectively, it was recommended that a central Board of Control be created. This London-based body would establish a consistent policy for the entire country. It would keep the parishes in line and make sure they were managing the workhouses according to set standards of relief and labour, while the day-to-day work, including the collection and spending of revenues, would be carried out locally. The Board's main function, however, would be to remove discretion from the hands of overseers. When it came to providing for the poor, these local officials usually had good intentions, but the greatest factor working against 'economizing', it was felt, was the overseers' fear

of being unpopular, and hence risking personal retribution. Relief was in the hands of a few individuals who could be subjected to much pressure from the poor, for example a shopkeeper with a large low-income clientele. These overseers tended to be generous for the year they served their voluntary office, knowing that maintaining the parish accounts would be someone else's responsibility in short order. This needed to be changed. Sentiment had to be removed from the reliever/relieved relationship. The solution was to hire assistant overseers (by 1831, about one-fifth of parishes had already done so). These new administrators were seen as a significant improvement because, unlike the annual overseers, they were paid employees imported from outside the community, hence independent and not influenced by the demands of the poor. Since they 'would have no local interests or affections, they would enforce the law without ill-temper on their parts, and without exciting animosity' (419).

The Royal Commission concluded its report by noting that some critics would see a new poor law as a way of taking money 'from the labouring classes, as if those classes were naturally pensioners on the charity of their superiors, and relief, not wages, were the proper fund for their support' (395). It was acceptable that the wealthy, as Edmund Burke (1999, p. 195) had freely admitted, could be 'pensioners of the poor', living on the surplus produced by workers, but in no way would the poor be permitted to be pensioners of their 'superiors'. This philosophy was at the heart of the legislation that came before Parliament in April, just a few months after the report was published and which, by August, had been entered into the statute books as the Poor Law Amendment Act. The bill had overwhelming support, passing second reading by a vote of 319 to 20 (94 per cent) and third reading by a margin of 187 to 50 (79 per cent) (Brundage, 1978, p. 56).

The new poor law, 1834–1860s

After 1834, the poor were governed by a more centralized, bureaucratic power. At the top of this administrative hierarchy was the Poor Law Commission (which became the Poor Law Board in 1846 and the Local Government Board in 1871). This organization was run by salaried officials who were responsible for implementing increasingly uniform regulations throughout England and Wales. A 'modern' structure was quickly put in place by about 20 assistant commissioners who travelled throughout the country. Their main task was to bring the 15,000 parishes together into, eventually, about 600 unions (a union combined

a number of parishes). They then had to establish boards of guardians, hire any employees that were needed, and build workhouses in the unions that did not have one of sufficient size. By 1839, at least 90 per cent of the country was under the rules and ordinances of the new poor law.

The crux of reform was the differently managed workhouse. The central Commission strongly recommended that larger institutions be built to serve the whole union, so the post-1834 period saw the construction of over 500 workhouses, most with space for 250–300 people. They were much larger and imposing than their predecessors which generally contained 20 to 50 individuals (Driver, 1989, p. 272). These institutions were meant to serve as a test for the able-bodied, as recommended by the Royal Commission. However, since each union was to have only one house, they ended up (in the words of the Commissioners) continuing in their role as ‘a receptacle for the sick, the aged and bedridden, deserted children and vagrants, as well as harmless idiots: classes of persons who need constant and careful supervision’ (cited in Webb and Webb, 1963b, p. 127). The proportion of able-bodied males in a house at any point in time would always have been small. The same ‘mixed’ workhouses endured, then, and only gradually throughout the course of the nineteenth and early twentieth centuries would these evolve into separate, specialized institutions.

It should be emphasized that the 1834 report saw outdoor relief to able-bodied males, as opposed to outdoor relief in general, as the main problem to be tackled. It was not the case that the new poor law ‘very significantly contributed to the greater commodification of labour-power’ by ‘ending outdoor relief for the able-bodied’ (Albritton, 1993, pp. 433–4). The vast majority of those who could not work (including able-bodied mothers with children) continued to receive the usual forms of assistance without entering a house. From the 1840s to the 1870s, somewhere between 80 and 90 per cent of people were relieved outdoors, and able-bodied adults, mostly widows, represented about 10 per cent of these individuals. In the decade after 1834, the central authorities did issue a number of Prohibitory Orders against out relief to the able-bodied, first for the south and then later for northern areas. However, these rules were not always enforced, especially if withholding relief was ‘likely to produce serious evil to the applicant’ (cited in Webb and Webb, 1963b, p. 146). Assistance to such individuals was sometimes provided under the category of ‘exceptions’, usually if the man or his wife was ill or had suffered an accident. In a few southeast counties, a modified labour-rate system survived (Digby, 1975). The inevitability of

continuing with a variation on past practices was acknowledged in 1852 when, with reference to urban areas (accounting for three-quarters of the population), the Poor Law Board said 'that it is "not expedient absolutely to prohibit Out-relief even to the able-bodied"; and apparently [the Board] continued in that conviction right through the century' (Webb and Webb, 1963b, p. 151, citing the Prohibitory Orders). In 1851, only 13 per cent of recipients were being relieved indoors, about half of whom were children. At this time, by far the two largest categories in receipt of assistance were the adult non-able-bodied relieved outdoors (41 per cent of the total) and children relieved outdoors (36 per cent).¹²

It was clear, then, as it always had been that it was cheaper to provide a small financial supplement to people outdoors than the alternative of the workhouse (Rose, 1966). There was, however, a concerted attempt to prevent individuals in urban areas (and rural areas in winter) from seeking even this limited relief. The deterrent was to take the form of a 'labour test' to see if the applicant was willing to work, usually 'oakum-picking, wood-chopping, corn-grinding and, most of all, the breaking of granite, flint, or sandstone by the hammer for use on the roads' (Webb and Webb, 1963b, p. 367). But setting obstacles to relief could only go so far because of unemployment and 'short-time'. Handloom weavers and textile factory workers in particular 'tended to suffer partial rather than full unemployment, and this was the basis of the continued local preference to relieve in aid of wages' (Thompson, 1979, p. 134).

While there was some continuity, the type of assistance given to able-bodied applicants after 1834 was quite different from what had been available to the poor under Speenhamland. There were two important changes between poor relief as it existed at the turn of the nineteenth century and the new poor law of the 1850s and 1860s. First, able-bodied healthy men formed about 15 per cent of all outdoor paupers in 1802–1803, down to only 1 per cent in 1851. Second, the adult non-able-bodied were just 16 per cent of all paupers in 1802–1803, rising to around 45 per cent in 1851. In the era of the new poor law, especially after the 1840s, there was a considerable shift away from helping the unemployed, the underemployed and people with low wages. They became a much smaller proportion of those receiving relief (Williams, 1981, pp. 72–5).¹³ The new poor law especially hurt families where the male breadwinner had irregular employment; these were families that may have received some form of allowance before 1834 (Williams, 2005a).

The new poor law had a negative effect on the lives of countless individuals. For one, it may have been responsible for a fall in incomes in

agricultural areas, since labourers now had little choice but to accept whatever work was available. Farmers would sometimes offer potential employees a low wage, and if the offer was declined, the farmer would not agree to sign the labourer's ticket. The workers would then request to enter the house, but the guardians would refuse admittance because the labourer had turned down work. Given this, one would expect the price of labour to fall, and that is what happened, according to K.D.M. Snell (1985, p. 129). His comparisons of wage rates in southern England between 1833 and 1837 showed that in 'every county wages were reduced, and in some very heavily'. He concluded that in the north there was little change, but in the south by 1850 wage rates had fallen to 65 to 85 per cent of their 1833 level. In contrast, George Boyer (1990, pp. 210, 221) argued that for the period 1832-1851, average agricultural real wages in southern England rose by 5.4 per cent, though they did decline in some areas. In his study, the movement of total income (wages plus poor relief benefits) also showed mixed results. In East Anglia, for instance, it declined by about 8 per cent. However, in the rest of the southeast, incomes increased from 2.5 to 3.5 per cent.

Another consequence of the new poor law, established beyond question, was that assistance to specific groups of people was diminished. Especially in the 1840s, the poor were subjected to increased cutbacks, including reductions in the quality of workhouse food, and lower levels of aid granted to those who lived in their own homes (Dunkley, 1974; Searby, 1977). Access to assistance was made more difficult in the larger unions, where an individual might have to travel a few miles in order to make a claim. Given this, it is clear that many who needed relief would not (or could not) apply. Other people, fearful of administrative intimidation, preferred to suffer without protest rather than face the possibility of having to enter a workhouse (Boot, 1990, p. 223). In some areas, the number of applications dropped quickly, and there are records of occasional suicides, extreme hunger and an increase in the selling of goods to pawnbrokers (Apfel and Dunkley, 1985). In Cumbria, where handloom weavers were making low wages as a result of short-time employment, relief was especially inadequate; some individuals were close to starving to death (Thompson, 1979).

To be sure, not every area of England and Wales was affected negatively, but most certainly were. Total relief expenditures fell 28 per cent between 1834 and 1840 (Digby, 1989, p. 23). Between 1835 and 1851, the per capita amounts given to the poor decreased by 40 per cent, with little difference in the reduction between north and south, or the former Speenhamland and non-Speenhamland counties (Huzel, 1989,

p. 806). The percentage of the population receiving relief after 1834 also fell, due in part to much stricter requirements for assistance. In the years following the new poor law, spending was halved as a percentage of GNP (from roughly 2 to 1 per cent). This would have reduced the incomes of the poorest from somewhere between 7 and 10 per cent (Mokyr, 1993, p. 131). William Cobbett was no doubt accurate when he observed that the intent of the new forms of administration and financial control were 'not to make the poor better off, but to make them receive less money in the way of relief' (cited in Snell, 1985, p. 136).

This retrenchment of poor relief did not go unchallenged. Despite the fact that in many places the legislation was not actively opposed, we should not mistake the lack of sustained, violent resistance for mere acquiescence. An organized campaign did prove to be relatively short-lived, being confined to 1837–1838 principally in Lancashire and the West Riding of Yorkshire, where it linked up with the factory reform movement. This opposition included publishing pamphlets and newspapers, taking part in scores of small protests, and organizing large public meetings, the most famous of which was held in May 1837 at Hartshead Moor, Yorkshire, with between 100,000 and 250,000 people in attendance. But resistance also consisted of arson and scattered riots, attempts to burn down workhouses, attacks on the property of overseers and guardians, the mutilation of farm animals, 'roughing up' officials, and the destruction of poor law account books (Huzel, 1989, pp. 804–5). This occurred just a few years after the hundreds of men and women involved in the 'Swing' riots had been given sentences which were seen even by contemporaries as excessively harsh, including banishment to Australia. This period also witnessed a significantly revamped form of law enforcement which prevented serious disturbances. Opposition in the south in 1835–1836 was met by special constables and armed troops. Accordingly, 'all organised anti-poor law protests were ruthlessly crushed' (Knott, 1986, p. 75). Some observers commented, in testimony before a select committee in 1853, that the new union workhouses 'might have been pulled down or nearly destroyed, if we had not had the assistance of the police' (cited in Snell, 1985, p. 136) who often guarded their construction night and day. The resistance which did take place, then, should not be taken lightly, especially when it occurred in the face of substantial state deterrence. It is probably safe to conclude that the new poor law was one of the most disliked and openly opposed pieces of legislation that has ever been passed by Parliament.

The anti-poor law movement was a short-lived political collaboration of old fashioned Tories, who did not want the different classes in society to be at each other's throats, and radicals who wanted the poor to receive their fair share of the nation's wealth. These groups felt that the workhouse provision was unsuitable to the needs of industrial areas and would be prohibitively expensive during economic downturns. 'Both employer and employee in the mills desired liberal outrelief at times of unemployment and the use of the workhouses as almshouses for the old, the sick and the infirm' (Boyson, 1962, p. 36). In addition, radicals emphasized the fact that the poor would be at the mercy of farmers and factory owners when it came to negotiating wages. These kinds of concerns eventually energized the Chartist movement, which argued for broad changes in English political life beyond poor law reform. Their demands, such as obtaining the right to vote for working men, were usually repugnant to the Tories, resulting in the termination of this alliance.

In the end, the anti-poor law campaign 'was destroyed by its own success' (Rose, 1970, p. 91). The movement delayed the construction of workhouses in northern England and southern Wales, ensured that local areas would continue to administer relief with some discretion, and guaranteed that out relief would still be granted in cases of severe hardship. Organized opposition probably also contributed to the fact that the workhouses never became heartless 'Bastilles'. The food, clothing and shelter provided by these institutions was comparable to that obtained by the poorest labourers on the outside (occasionally they were even better). They were rarely unsanitary and overcrowded. The workhouse was meant to serve the role of a psychological deterrent to the poor in their effort to claim social benefits. But despite some continuities with the past, in particular the provisions for those who could not work, the so-called 'principles of 1834' were here to stay. Although these were never explicitly drawn out in legislation, they are generally seen as national administrative uniformity, 'less eligibility' (hence no allowances), and the workhouse test for able-bodied males. Returning completely to the old practices was not seen by those in power as a viable alternative. This was confirmed in February 1838 when an attempt in Parliament to repeal the new poor law failed overwhelmingly, by 309 votes to 17 (Rose, 1970, p. 90).

In sum, it was the unemployment created by capitalism in the late eighteenth and especially the early nineteenth centuries, particularly in the highly productive agrarian sector, that made the need for some type of assistance a necessity for many people. Parish work, wage supplements, and child allowances were the immediate response, granted in

a period of conflict with Revolutionary France. It soon became clear that this was, from the perspective of ratepayers, an expensive series of programmes and, with the Napoleonic Wars out of the way, the move to reform began. With a new poor law in place, the level of relief for many people would be lower than it had been previously, and monetary aid would be given grudgingly. This would serve as an instrument of labour discipline while providing support for the propertied class' view that assistance was a form of charity. An important struggle over 'welfare' and 'rights' occurred in the years leading up to the new poor law. It was a battle the working class would lose. English men and women without control of means of production would witness the fact that their rulers could confiscate in the present what they had relinquished in the past.

The new poor law and the crisis of capitalist agriculture

J.D. Marshall (1985, p. 9) has commented that the Poor Law Amendment Act of 1834 'has been subject to widely differing emphases in interpretation, and which, as regards general agreement, has found no consensus even at the present time'. This is an ongoing debate of great importance. R.N. Thompson (1979, p. 117) has gone so far as to suggest that 'the interpretation of the New Poor Law lies at the heart of nineteenth-century British historiography'. It is important, then, that an explanation of the events of the 1830s should abandon conceptual clichés. The limits of such theoretical 'ideal types' would be exposed if faced with the extensive empirical evidence that often contradicts them. Perhaps the most utilized of these constantly repeated propositions is the one that regards 1834 as the end of the old 'moral' economy and the beginning of a new 'market' society. Huzel (1989, p. 810), for example, suggested that the new poor law has to be contrasted with the loss of 'a corpus of paternalistic beliefs, symbolized in Speenhamland, which assumed that even the able-bodied poor were morally entitled to a right to subsist'. The new legislation 'signified the total negation of what were, in essence, pre-industrial ideals'. Speenhamland and the new poor law 'were directly polarized: the one looking backwards to a "moral economy" of earlier times, the other forwards to the future market economy. The latter, of course, assumed that poverty was the sole responsibility of the individual.' Karl Polanyi (1957, p. 102) posited a similar dualism when he argued that after 1834, 'the traditional unity of a Christian society was giving place to a denial of responsibility on the part of the well-to-do for the conditions of their fellows'.

Peter Dunkley and Peter Mandler have argued much the same. For Dunkley (1982, p. 143), the principles that formed the basis of the new poor law 'differed in kind, as well as degree, from the methods that had characterized parliamentary tinkering with the relief system in the years leading up to 1833'. He saw the 1830s as a transition from a 'deference/paternal' society to one that was rooted in the market. The new poor law constituted a significant break in past practice as a result of the Whigs 'decision to introduce economic individualism into what was taken to be a regulated economy of half-free forms of labor' (Dunkley, 1981, p. 146). Peter Mandler (1987, pp. 139, 145) also considered 1834 'to mark an essential rupture in poor-law practice'. He argued that changes to the system had been delayed because of the gentry's old-world views. This group, from the end of the Napoleonic wars, felt that reforms were necessary. However, 'the Tory government of 1817 was *not* ready to overturn the paternalist order and embrace the principles of classical liberalism'. Landed property abandoned paternalism over the next 15 or so years and by 1834 were finally converted to liberal, free-market ideas.

In reality, however, there was not much distinction in the humanity or the ideology of the relief systems under the old and new poor laws. In both instances, the preservation of life was paramount, though of course officials also used the rules of administration 'as a means of getting rid of applicants for relief at the least possible cost in time, trouble and expense to themselves and the ratepayers' (Rose, 1966, p. 620). Ideas like 'less eligibility' were hardly distinct; they go back to the very beginnings of the poor law. There was certainly greater enthusiasm among rulers for less eligibility. It had forceful advocates in the writings of the political economists, especially Malthus, who wanted to eliminate poor relief entirely. The 1834 legislation did introduce some novelties in both relief practices and, to a lesser degree, theoretical principles. Nevertheless, one could legitimately view the new poor law as 'no more than an extension of an established method, devised and revised from time to time in order to care for and discipline the various classes of poor people' in England (Martin, 1972, p. 40).

It is a mistake to view the two eras as being 'directly polarized': in the 1820s, a romantic, moral economy which was part of a 'precapitalistic age' and in the late 1830s, a rugged laissez-faire capitalism. There are numerous recorded instances under the old poor laws of pregnant women in labour being carted into neighbouring parishes to give birth or being bribed to leave so that their new-born children could be a 'burden' on someone else's purse. For instance, in a London parish in 1647, the beadle was given 2d. 'to get a great bellied woman out of

the parish' (cited in Herlan, 1977, pp. 26, 28). In 1721, the overseer of St Botolph's, Cambridgeshire, 'paid to Doll Carter, she being near her time, £2. 17s. 6d. by which we got rid of her' (cited in Hampson, 1934, p. 165). In St Saviour, Southwark, c.1620, an officer of the parish reported 'having heard that Elizabeth Rogers, great with child and in pain of childbirth, coming from the other side of London and sat at the new Churchyard gate the 12th of March, [I] went presently to her and with much ado got her over the [London] bridge and so heard no more of her' (cited in Raine, 1969, p. 82).

These actions do not correspond to an idyllic 'moral' economy, if we think of this as something which, in addition to being based on mores, is also grounded in an ethic of caring. Conversely, the market economy is always undergirded by rigid moral principles that set limits on capital's ability to attack welfare, wages and the conditions of work. The 'right to live', for example, was never abandoned after 1834 by the poor or the rich, in theory or in practice. This right was maintained in the ensuing decades by poor relief (at lower levels) as well as a number of new initiatives, including increasingly progressive factory regulations and improved public health.

The too-neat moral/market distinction, then, should either be abandoned for short periods like 1820–1840 or used with extreme care, in the manner of E.P. Thompson, when examining much longer time-frames. The moral/market division is abused by a number of analysts who tend to identify capitalism with industrialism, seeing the period before c. 1830 as precapitalist. Thompson, on the other hand, understood that the rule of the market preceded industrialization and that, in the eighteenth century, what he identified as the 'moral economy' consisted of the practices of the poor in resisting the imposition of the logic of capital in *all* its forms.

Aside from the moral/market question, the literature on the new poor law has also focused on issues such as whether or not the power of the justices was increased or decreased after 1834; how 'centralized' the reformed system was; to what extent the gentry approved or opposed the new measures; at what point the world outlook of landed property was altered and to what extent it changed; how well 'paternalism' survived, if at all, and what the definition is of this slippery term. There does, however, seem to be a need to answer the intriguing question of precisely why this legislation was passed in the first place.

My argument is that the new poor law was part of a crisis in the agricultural sector of English capitalism which had come to a head in the first few decades of the nineteenth century. As such, the law can

only be understood in the context of the 250 years before 1800, a period which saw capitalist social relations develop to fruition in England. The old peasant-based society was, from the late sixteenth century, evolving into a competitive market economy where individuals with little or no property had to reinvent themselves as the sellers of the commodity labour-power and accept a wage from whomever was willing to offer one. The process of creating a labour market increased during the seventeenth and especially the eighteenth centuries with the decline of social relations such as the servant in husbandry.

By the early 1800s, after many years of producing in an environment of intense competition, the percentage of the workforce involved in farming activities began to fall dramatically. For example, the number of families employed in agricultural occupations plunged from 42 per cent of the total in 1801–1803 to 28 per cent in 1831, down to just 22 per cent by 1841 (Mitchell, 1988, pp. 102–3). Agriculture, then, is like any other sector of capitalism – the point of its highest success in terms of productive capacity occurs simultaneously with its lowest number of employees, relative to other sectors of the economy. England's agrarian revolution would continue to the point where, by the turn of the twentieth century, only one worker in 12 would be occupied on the nation's farms. After 1815, it was concluded by those with political power that the overcrowded labour market in agriculture had to be cleared. This migration from the farms was to receive a substantial boost from the new poor law. Its objective was to make life difficult and unpleasant for those who elected to remain in rural areas by retracting much of the relief that had been provided to the able-bodied and their children over the previous four decades. Many of the poor would eventually leave behind their villages and small towns in order to pursue work in factories, now increasingly located in larger urban centres. Others left the country with, for example, 127,000 mostly rural dwellers departing for Australia between 1831 and 1850 (Haines, 1997, p. 10).¹⁴

Despite the fact that the new poor law had its roots in the peculiarities of a crisis of agrarian capitalism, it was at the same time part of the continued battle waged by capital against labour in the attempt by 'entrepreneurs' – both agrarian and industrial – to enhance the environment for profit-making. Severe restrictions on access to social assistance would have been beneficial, no doubt, to those employing 'hands'. Yet this offensive against labour cannot be reduced to a dramatic transition which begins with 'mores' and, a short while later, ends with markets. The new poor law might be better described as a form of 'haggling' at the margin: that is, removing small pleasures from the poor, reducing their

sense of economic security, and subjecting them to increased psychological coercion, like the threat of the workhouse. The margin, however, is important, because it is the changes at this social borderline that make a qualitative difference in people's lives, especially for those who are poor. Moreover, the typical modification in access to social resources is found at the margins; sweeping alterations in property ownership and class structures have rarely, if ever, occurred, especially within relatively brief periods of time.¹⁵

In addition to its material aspects, the 1834 reforms were part of an ideological attack on the poor, developed in its harshest form by T.R. Malthus. This critique, which flowered in the Speenhamland years, was an attempt to quash what the poor viewed as their rights: to obtain social respect, which meant avoiding the degradation brought on by abject poverty, and to live without the constant fear of falling into part-time work or outright unemployment. David McNally (1993, p. 97) has noted that the new poor law was 'a direct response to a perceived crisis in social control and class relations'. The problem was that the system 'sustained attitudes and beliefs that encouraged the poor to stand up for (and revolt on behalf of) the subversive notion that the rich owed them their subsistence'. The new poor law was part of the struggle that capital, since its beginnings, has waged against landless labourers. This typically involves taking workers' rights and whittling them down to mere privileges. It is one of the objectives of capital to destroy every claim to relief based on justice and substitute instead a personal decision on the part of exploiters as to whether or not they will engage in acts of charity.

The new poor law of 1834 should be seen as the culmination of a prolonged, centuries-old attack on communal, non-market rights that began with individuals being removed from the land and eventually absorbed as subordinates in a novel power relation. The new poor law was the crowning achievement of the capitalist labour market and not the origins of this market, as writers like Karl Polanyi and Mitchell Dean maintain. It was at the same time a 'low point' – and not an end – for social rights and citizenship claims. These continued in a truncated form after the 1830s, though they would eventually be restored with the expansion of the British welfare state in the mid-twentieth century.

6

Agrarian Class Relations and Poor Relief Outside England

It has been the objective of this book to provide a plausible explanation for the unique character of English poor relief. It has not been the purpose of this work to demonstrate why such assistance was absent elsewhere. Nevertheless, there does seem to be an obligation to account for, if you will, the other side of the coin. This is especially so when the relationship between human need and the availability of poor relief seems to have been reversed. England, which could provide adequate food for its population from the early modern era onwards, had a system of relief. Other European countries, where people died of the effects of malnutrition and hunger or outright starved to death in horrific numbers down to the 1840s, did not have substantial assistance. It is the intent of this chapter to consider at a general level why a highly developed, publicly supported poor relief system was not operational outside England, in some cases until after the mid-nineteenth century.

The focus will be on Scotland and Ireland, both of which are close to England geographically, culturally and politically. These two 'nations' were selected for comparison because, on the surface, they are the ones that most 'look like' England, being subsumed at various times as part of the 'United Kingdom', yet neither had an effective poor law before the late 1830s. Together, they provide intriguing counter-examples in demonstrating the uniqueness of England. My analysis will be concise, meant only to highlight the agrarian 'workers' that prevailed in these 'regions' – cottiers, crofters, farm servants and so on. A brief survey will also be made of conditions in France, an important case study because of its supposed historical similarities with England. The contrast between these two countries was at the heart of the Brenner debate, and it is one that I also used in Chapter 3 to emphasize what was distinctive about English class relations and the English state. In this section, I

will consider the differences between the French and English methods of dealing with the poor. Finally, I will examine the development of social assistance in Germany (mostly Prussia), the country that is usually deemed to have created the 'first welfare state'.

Poor relief in Scotland

In the early modern era Scotland, like every other European country, came face to face with an increasing amount of poverty, often the consequence of serious plagues and famines. Poor law acts, based for the most part on similar legislation in England, were passed in the 1570s. Typical of many Scottish acts, though, these were never implemented, mainly because Scotland did not have a unified government in the sixteenth century, especially in the Highlands which were usually controlled by local clan chiefs. Even in certain areas in the south, great nobles with their militaries could wield a lot of power. Scotland was 'a country where the authority of the ruler was limited by geography, by the control of local resources by the aristocracy, by lack of funds and by lack of a civil service' (Mitchison, 1989, p. 201).

From the last decade of the sixteenth century, responsibility for the poor in rural parishes was in the hands of the kirk session, which was charged with coordinating charitable activities. It was the Church of Scotland's lowest ecclesiastical court, consisting of the parish minister and a number of elders. After 1672, the kirk session shared its responsibilities with heritors (large landowners who were required to support the church). In the burghs, magistrates and town councils ran poor relief. By the mid-eighteenth century the main source of relief in Scotland was the voluntary collections that were taken at the church door. The amounts raised were often small. For example, in late eighteenth-century Edinkillie (population 1312), only £5 was collected from parishioners over the course of a year (McPherson, 1941, p. 43). In addition to charitable contributions, a rate (stent) was occasionally imposed during emergencies. For instance, 46 of the 229 parishes that have left records (most located in Edinburgh) had imposed a stent at some point during the crisis years of the 1690s. Given that the other 670 parishes likely 'were not effectively supporting their poor' (Mitchison, 2000, p. 37), the rate of assessment for the country as a whole might have been as low as 5 per cent, at a time when the poor rate was in place in almost every parish in England (Slack, 1990, p. 26).

Other forms of revenue included the interest earned from the investment of legacies and bequests. Often local heritors would borrow the

money from the church and pay interest on it; this was one of the safest forms of investment for the session. Unfortunately, some sessions lost their capital as a result of risks that were undertaken when no 'sure hand' was available. In Fenwick in 1785, most of the parish fund was lost when the trading company it had been invested in went bankrupt (Wilbraham and Lodge, 2002, p. 59). On many occasions, even when the capital was not lost, it could still prove difficult to procure the annual interest payment when it was due. In such cases, after five or six years of non-payment, the capital would be returned to the church while the interest owed would be written off. Even sessions that made successful investments, however, often hoarded the money despite the obvious unmet needs that existed in many communities.

Parishes also raised funds through the fines that were handed out for offences such as poaching and selling beer without a license; the renting out of church seats, which were usually built in a special gallery, to well-off families; charity sermons, where a collection would be made after a renowned minister gave a rousing sermon; special collections for parishioners who met with disasters such as fires; charity plays, concerts, and balls; and mortcloth fees, a payment for the rental of a cloth, typically velvet, that was spread over a coffin during the funeral procession and the church service. Landowners would sometimes make extra contributions in times of crisis (Mitchison, 1988, p. 252). Burgh councils were also active, especially in selling grain to consumers at below market prices (Smout, 1976, p. 25).

All communities had to deal in some limited way with the poverty that was brought on by old age, disability, illness, widowhood, crop failure and 'fever', while assisting orphans and foundlings (infants abandoned by their parents), as well as paying for pauper funerals. In lowland Scotland from the mid-seventeenth century onwards, some parishes were giving oatmeal, clothing and fuel to their disabled elderly, though older persons 'capable of walking were expected to ask for alms, and the statutory prohibitions about begging were ignored for them' (Mitchison, 2000, p. 22). Any small allowances that were given out were only occasionally paid weekly. They were more likely to be handed out monthly, quarterly, semi-annually or even annually (Lindsay, 1975, pp. 142–3; McPherson, 1941, pp. 178–82). Allowances were generally paid in-kind, sometimes Indian corn (maize) though more typically meal (Ferguson, 1948, p. 29). Beginning in the early 1600s, many rural parishes also gave the poor badges or tokens. By the end of the eighteenth century, it was still a common practice in towns for magistrates to issue badges; these

licensed individuals to beg on the first day of each month (Ferguson, 1948, p. 167).¹

After the 1780s, some parishes began to use temporary, voluntary assessments when the church collections proved to be insufficient, with mandatory stents being introduced slowly after 1800, particularly in urban areas (Cage, 1975, pp. 115–16). However, no more than 15 per cent of parishes had rates by 1820. The most extreme case was the northern areas where relief was negligible, even by the 1830s. Overall, by 1839, 263 parishes were assessed; 643 were not. The assessed parishes contained 1.18 million people; the unassessed had 1.14 million (Lindsay, 1975, p. 22).

Poor relief in Scotland differed from that in England in a number of important ways (Mitchison, 1974). First, assistance was generally not given to the able-bodied (Cage, 1981, pp. 13–14). Second, certain elements of English poor relief, such as houses of correction and medical relief, were absent in the Scottish case. Third, support to groups like the aged and the disabled was at comparatively low levels. And fourth, funding was typically voluntary, organized by the churches. Furthermore, in several communities, by the late seventeenth century, the household goods of anyone receiving poor relief became the property of the parish upon the death of the pauper. This practice became more common after 1750 when relief was mostly given out as a loan, and those who accepted relief had to promise, in the form of a signed disposition, that after their death they would leave their belongings to the parish. Despite this, parishes typically received only a few goods that had any value, though the funds raised in some cases from an ‘estate’ sale might have covered part of the funeral expenses. If any money remained, it went to support the parish poor. From the 1750s until the Scottish poor law was passed in 1845, ‘a constant revenue flowed into the poor’s Box from the disposal of the household goods of the poor’ (McPherson, 1941, p. 93). In addition, if the poor wanted to get off relief while they were still alive, they had to pay back what they had been given (Cage, 1981, pp. 33–4).

By the beginning of the nineteenth century, there was a much greater need for assistance, especially in the fast-growing urban areas where large populations were exposing the inadequacies of charity. Glasgow, for example, went from 77,000 inhabitants in 1801 to over a quarter-million just 40 years later. But private philanthropy (the religious and friendly societies and the hospitals) still accounted for more relief than public expenditures – four times as much in Edinburgh in 1831. Even in the early 1820s, in at least one Glasgow parish (St John’s, with

10,000 residents), 'reformers' like Thomas Chalmers were still hopeful they could organize a rural-styled charity-based poor relief system that would avoid the 'evil' of obligatory taxation, one that would continue, as much as possible, to deny assistance to the able-bodied (Cage and Checkland, 1976).

Charities were hard pressed to keep up with the substantial indigence found in urban centres. The Royal Commission on the Scottish Poor Laws, reporting in 1844, found that 'poor relief was irregularly given and was inadequate in amount' (Paterson, 1976, p. 174). At this time, some towns were still issuing beggars' badges.² The Commission's report recommended a number of reforms that were incorporated into a poor law for Scotland, legislated in 1845. The new Act, though, did not alter much, in philosophy or in practice. Outdoor relief, mainly to the typical categories of poor, would continue, while assistance to the able-bodied would remain exceptional. Despite a new central Board of Supervision, parishes could still avoid implementing a rate as long as they had the minimum necessary funding from other sources. However, by 1846 roughly half of all parishes had an assessment, growing to almost 90 per cent by 1862 (Ferguson, 1948, p. 196). Expenditures on the poor increased, medical care improved, and a number of multi-purpose institutions were built to take care of the traditional poor: orphaned children, the elderly and the disabled. By the end of the nineteenth century, the Scottish poor law came to more closely resemble the English model (Crowther, 1990).

The biggest challenge facing the new system was in the Western Highlands and Islands in 1846 after a potato famine struck. Some public works were provided, especially drainage, land improvement and road construction, yet even in this instance much of the relief was of the traditional variety, consisting of support from various Lowland charities, the transportation of crops into the region, and government pressure on landlords to take care of their own poor, in particular by offering food to their tenants at reduced prices.

Crofting and the longevity of farm service in Scotland

The main reason for the delay in the development of comprehensive relief in Scotland appears to be the absence of a labour market, where the skills and abilities of landless individuals are bought and sold according to the dictates of supply and demand. In the Lowlands at the beginning of the eighteenth century, most people subsisted as sub-tenants, cottars or servants who lived in-house, while a few others were tradesmen or

artisans. For the vast majority of the population involved in agricultural activities, their rents were paid either in-kind or through labour services, and production was mostly for purposes of subsistence. Money rents began to predominate by the 1760s, and from this point on higher numbers of enclosures took place, creating larger farms that produced more for the market. In this move to 'improvement', Scottish society was subjected to what seems at first glance to be the English pattern of social alteration: the division of 'commonities' (a form of common land), the abolition of common pasture and other use rights and the appropriation of waste lands by private owners.

The most dramatic social change in the Lowlands in the years 1770–1820 was the removal of cottars from the soil, to the point where in some parishes it was difficult to hire labourers because few people remained in the community. This was especially true during the harvesting season, with farmers now having to take on migrant labourers from the Highlands and Ireland as well as the wives and children of weavers, miners, tradesmen and other industrial workers. 'Over two to three generations into the nineteenth century, status, income and employment were irrevocably altered for the majority of the population of Lowland society' (Devine, 1989, p. 150). What happened was that an 'entire tier of the traditional social order was removed in many areas over the space of a few decades' (Devine, 1994a, p. 141). Yet this was a remarkably peaceful process because even though people were pushed off the land in the drive for improvement, the older forms of labour were generally maintained. The 'cottar population was not so much expelled from rural society as relocated within it' (Devine, 1994a, p. 153). In Scotland,

underpinning this modern agrarian regime, was a structure of labour recruitment and payment which seemed to have more in common with the previous era of unimproved agriculture and in some ways was apparently hardly touched by the wide-ranging changes in modes of production characteristic of the period after c.1780. Most permanent farm workers in Scotland were farm *servants* (rather than labourers), who were hired over a period of one year, if married, and for six months if single. Married servants, who predominated in the Lothians, the most improved of all the lowland regions, were paid almost entirely in kind, receiving such allowances as oats, barley, pease, the keep of a cow and ground for planting potatoes. The rental of the cottage was paid for by the labour of the wife or daughter during harvest and fuel was carted from town at the farmer's expense. Unmarried male and female servants, who were especially common

in the north-eastern and western lowlands, did obtain a cash wage but were also boarded within the farm steading and received both food and accommodation as part of their contracts.

(Devine, 1984, p. 1)

This form of remuneration went unchanged well into the nineteenth century, when most Scottish farm workers were servants. In some areas, annual contracts could include up to six weeks of sick pay for male farm servants. Until 1840, 'payments in kind, though they varied in detail, still formed a very substantial component of the total wage reward for most workers' – on average, 60 per cent of 'income' (Devine, 1978, p. 334). So entrenched was the customary wage that in East Lothian and Berwickshire in the early 1840s, 'hinds' (married labourers) were given almost no cash, instead receiving the 'boll wage' which had been set by a Midlothian justice of the peace assessment in 1656: 'a cottage and kailyard, an allowance of ground to sow grain, grazing for a cow or two, 15 bolls of oats and 1½ bolls of peas' (Gibson, 1990, p. 364).

Day-labourers were typically used only for busy periods like harvesting and hay-making. They were members of a male servant's family and, in the first few decades of the nineteenth century, they formed 'a minor proportion of the total workforce', in the order of 5–20 per cent, depending on the region (Devine, 1978, p. 337). Yet even Scottish 'day labourers' were different from apparently similar labourers in England. Gibson's (1990) study of a major Scottish estate in Stirlingshire noted a steady increase in the use of day-labourers from the 1720s onwards, though they were still few in number into the 1780s. By the 1750s, many of the day-labourers on this estate were working almost 230 days a year. In effect, they were virtually full-time employees. In the 1760s, roughly half the 'wage' of these workers was paid in kind, and there are examples of some workers receiving sick pay. The day-labourers on this estate, then, had much in common with agricultural servants.

The generalized system of in-kind remuneration gave farm servants in Scotland 'an enviable security in relation to their counterparts in south and east England' (Devine, 1978, p. 334), where in 1851 only 6 per cent of male agricultural labourers were servants; the number was as low as 2 per cent in some southeast counties (Armstrong, 1989, p. 674). In contrast, in Scotland, 40 per cent of agricultural labourers were servants in the early 1860s (Orr, 1984, p. 30), while as 'late as 1861 over 61 per cent of the total agricultural work-force in Stirlingshire were servants on long hires as opposed to day-labourers' (Gibson, 1990, p. 365). So, in the first half of the nineteenth century in vast sections of the Lowlands,

the most improved area of the country, important features of capitalist proletarianization were mostly absent, including the abolition of farm service, the abandonment of annual labour contracts, and the payment of money wages for short-term work.

Changes were made to agrarian social relations in the Highlands as well at the end of the eighteenth and the beginning of the nineteenth century in the move to create large cattle ranches and sheep farms, yet down to the 1830s completely landless labourers were uncommon. In the southern, eastern and northeast Highlands, most people were cottars, servants or labourers who worked in agriculture and did a bit of spinning and knitting. They lived on a plot of land which they held in return for services or money (more so the latter after 1790). Outside peak periods such as harvest time, they would work on their own holdings or sell their labour-power to whomever was willing to purchase it. This system confirmed 'the small-holding as a main source of livelihood for a large section of the population and as a key device providing labour for the larger farms' (Gray, 1976, p. 95). Between 1800 and 1830, changes in the northeast were undertaken to increase the size of farms and to improve agriculture, yet 'a social structure in which the central feature was a nearly universal holding of land proved remarkably resistant and adaptable' (Gray, 1976, p. 101). After the 1830s, most people became 'employees', but they held long-term hirings and their earnings, down to the 1860s, were mostly in-kind, including 'rough accommodation and food in the kitchen or an allowance of meal, milk and potatoes and possibly coal' (Gray, 1984, p. 17).

In approximately the same period, on the western seaboard north of Fort William to the Inner and Outer Hebrides, many families were relocated on to crofts of a few acres each, 'surrounded by grazing or hill pasture which was held in common by the tenants of the township' (Devine, 1994b, p. 47). Because of the size of their properties, crofters had to pursue wage-labour, often in the form of migrant work, as soldiers, sailors, harvesters, fishermen, textile workers and domestics. After 1815, with the passing of generations, most of these crofts were subdivided into tiny pieces. The result was that crofters lived in great poverty, relying heavily on the potato, large quantities of which could be grown on small amounts of land. The famine of 1846 in the north-west, generated by the failure of the potato crop, concluded with the eviction of many of these tenants because they could not pay their rent. There was, fortunately, no mass starvation as there was in Ireland, where the potato crop had also failed in the previous year, mainly because the population at risk (about 150,000) was relatively small and emergency

relief provisions were adequate. These forced clearances and 'voluntary' departures in the years from 1849 to 1855, mostly in the Inner and Outer Hebrides, were accompanied by much out-migration.

By this time, Scotland's rulers had accepted emigration as a way of improving the land/people ratio. This contrasts with the beginning of the nineteenth century when many landlords still disapproved of the removal of families from their estates, because it went against the ethos of taking care of one's tenants. After 1815, as the problem of 'redundant labour' intensified, particularly in the Highlands, attitudes began to change, and emigration gained increasing support among the landed classes as an option for the poor. A few schemes were created by the government, various proprietors and emigration societies. Petitions were made to these individuals and organizations seeking assistance for those wishing to leave the country, in the form of clothing, money, the chartering of ships, payment of the costs of transportation and sometimes colonial land grants (Murison, 1987).

It is a mark of how late rural change came to the Highlands of Scotland that there was to be one final agrarian conflict near the end of the century. In 1882, crofters on the east coast of the Isle of Skye demanded the return of their traditional common grazing lands. The lord refused and a rent strike ensued, which spread to a neighbouring area in 1883. This 'Crofters' War' was, despite the name, not a violent affair. The War was more of a political movement whose main weapon was the withholding of rents en masse alongside attempts to take back former common lands. These disturbances resulted in the formation of the Royal Commission on the Condition of the Crofters and Cottars of the Highlands and Islands of Scotland. Its report was published in 1884, leading to the Crofters' Holdings (Scotland) Act (1886) which contained many of the demands of the small number of crofters who still remained: security of tenure, heritable tenancies, fair rents and compensation for improvements. The Act, however, unlike similar Irish legislation of the same era, did not provide freedom to sell nor did it make any provisions for the poorest cottars and individuals with little or no land. A few other conflicts erupted in the years 1886–1888, including the 'Deer Raid of the Lews' when over a thousand crofters attempted to reclaim land that had been turned into a deer park on the Island of Lewis. Further land raids occurred in the ensuing decades, especially in the Hebrides, with property being taken over in some cases. More legislation was passed in 1897, 1911 and 1919 to try to deal with the difficulties presented by the crofters' way of life, notably poverty and the overcrowding of land (Cameron, 1997).

In sum, it was only after 1820 that urban workers, caught in the downside of the business cycle, began to put pressure on charity-based relief organizations. By 1841, 35 per cent of the population lived in towns of more than 5000 people. The biggest industrial disaster of the time was the decline in the number of handloom weavers, from 85,000 in 1840 to 25,000 by 1850. Hit especially hard was the town of Paisley where in 1843 one-quarter of the town was receiving charity (15,000 individuals). Even 'the pawnbrokers began to go bankrupt in large numbers as their customers ran out of goods to pledge' (Smout, 1981, p. 17). Agricultural workers, still the vast majority of the population, had much better protection. It was only around the mid-nineteenth century that they were starting to become full-fledged labourers, separated from the land and no longer able to depend on a system of customary 'wages'.

People in Scotland did not need poor relief in the way that many of their counterparts in southern England did because of the endurance of farm service in the south and east and continued access to land in the northwest. Statistics confirm the substantially different experiences in the two 'countries'. For example, in 1818 the proportion of the Scottish population in receipt of relief ranged from 1.3 to 3.4 per cent (Mitchison, 1989, p. 215). This compares with Speenhamland (generally agricultural) parishes in England where, at the turn of the nineteenth century, up to 20 per cent of the population was receiving either permanent or occasional relief (Marshall, 1985, p. 38). Scottish servants and smallholders were better protected from the vagaries of the market, especially the fluctuation in the price of basic goods and the lack of available work, which often sent many members of England's substantial class of wage-labourers to the parish to seek support. Access to land was an avenue to independence for many Highlanders while, especially in the Lowlands, 'the maintenance of service provided a vital bridge between the old world and the new.... The servant class, when employed, had an impregnable material security' (Devine, 1989, p. 167).

Poor relief in Ireland

While Scotland serves as an informative counter example, the case of Ireland highlights even more starkly the fundamental differences between England and its immediate neighbours. Ireland was probably the poorest country in western Europe in the early nineteenth century. Roughly one-half of the population lived in *botháin scóir*, one-roomed

thatched cabins with almost no furniture – perhaps a chair, a table and usually an iron pot for boiling potatoes; no windows, chimneys or fire-places; and a mud floor. They slept on straw beds with coarse sheets and wore clothes that can only be described as rags, usually walking bare-foot. This poverty was exacerbated in the centuries prior to the Great Famine, when it was rare for Ireland to go more than a few decades without being hit with varying degrees of localized or national pestilence, plague, hunger or famine, compounded by economic depressions, war and bad weather. In the first half of the eighteenth century, the Irish suffered through four famines and a number of subsistence crises. The worst famine, in 1740–1741, killed between 250,000 and 400,000 people, roughly 20 per cent of the population, a number proportionally higher than the more famous Famine in the 1840s (Kelly, 1991–1992, p. 65).³

The individuals who had the greatest requirements during these difficult times had to rely almost exclusively on charities. However, this type of assistance was never adequate in meeting basic needs during ‘normal’ times, never mind during a famine. The situation was even worse outside the cities where there was little organized relief. Still, the donations of food and fuel that were distributed were vital to the very poor and no doubt prevented numerous deaths from starvation and disease. In many places, ad hoc committees were established in times of distress. Government action was generally confined to banning the export of food until a crisis had passed, regulating the price of basic goods, and the procurement and delivery of bread and coal into the marketplace. The inadequacies of this system are seen by the fact that when hungry, the poor often resorted to food riots, as they did in Cork in February and March of 1729. They attacked granaries, stores, ships – even the mayor’s house. Crowds were beaten back by the army; many protestors were seriously injured and some were killed. At this time, in a rush to defend the ruling classes, the Catholic Church issued a pastoral letter, read at Sunday mass in Dublin, which threatened excommunication on anyone who was engaged in rioting ‘on pretence of discovering corn’ (cited in Kelly, 1991–1992, p. 89).

In the late seventeenth century, some parishes, especially in Dublin, levied an annual tax (cess), with most of the amount raised going to the poor, perhaps enough to support a parish’s orphans and foundlings. In a few other parishes, the cess was implemented intermittently, during emergencies. Like Scotland, most of the money raised for the poor in Ireland came from voluntary Sunday church collections. Sums were also generated from bequests, legacies, fines, charity sermons and the selling

of church pews. Similar again to Scotland, the amounts raised could be quite small. For instance, in County Armagh, throughout the entire eighteenth century, just 14 recorded bequests were made to the poor. At the low end, six gifts were for between £5 and £10. At the high end, there were two gifts for £100 and one for £1000 (MacAtasney, 2001, p. 782). Because of extremely limited funding, 'any potential long-term commitments had to be avoided wherever possible', though there were usually a handful of people, generally aged widows, on 'very small' regular pensions (Dudley, 1999, pp. 87, 90). In addition, badged beggars could raise money on their own. The use of badges was common in urban areas, with 970 issued in Dublin between November 1773 and March 1775 (O'Carroll, 1987, p. 69).

More so than any other centre, Dublin had to respond to pressing needs, because after a crop failure many people went 'on the road', with most heading towards the capital city. Ireland's first workhouse was built in the South Dublin Union in 1704; yet, despite its name, it cared mostly for individuals who were elderly, sick or disabled. A list of the poor in the workhouse in 1725 showed 93 healthy children, seven healthy adults, and 122 non-able-bodied adults, described in the records as superannuate, infirm, bed-ridden, mad, fools, blind, dumb and lame, as well as individuals who had the 'king's evil' (scrofula) or suffered from 'fitts' (O'Carroll, 1987, p. 74). In 1730 the institution became the Foundling Hospital and Workhouse of the City of Dublin, concentrating its efforts on abandoned infants, admitting just under 4000 between 1735 and 1743 (2754 of whom died in the house) (O'Carroll, 1987, p. 77). A larger house of industry was opened in Dublin in 1773. Its funding was based on voluntary subscriptions, though the Irish Parliament provided money after 1777 as subscription support from the community fell rapidly. Most admissions were voluntary, with the house focusing on the elderly; over half its clientele were aged 60 years and over (O'Carroll, 1987, p. 77). More importantly, this institution's three soup kitchens provided sustenance to many individuals throughout the city. For example, during a subsistence crisis in February 1784, the house was feeding between 13,000 and 15,000 people every day (Kelly, 1992, p. 57). After 1800, the house became a hospital, providing medical services to the poor (Dickson, 1988, p. 156).

By 1800, the nine major charities in existence dealt mainly with the aged, the mentally ill, orphans and the sick. Government action was limited. The Irish Parliament had passed some 'poor law' legislation in the eighteenth century, but it was almost never put into effect due to a lack of funding. In the first few decades of the nineteenth century,

rudimentary care for the poor began to be developed, sometimes with the assistance of government. District lunatic asylums were constructed in addition to a few state-aided hospitals. By 1833, there were nine workhouses, all located in urban areas, and 70 fever 'hospitals', often no more than old buildings with a handful of beds. For example, in 1817 a temporary fever hospital, a badly ventilated wooden structure, 120 feet long by 60 feet wide, was established at Armagh, while in 1825 the Newry Fever Hospital was opened, it being 'nothing more than a converted corn store' (MacAtasney, 2001, pp. 786, 788). These institutions were required to deal with the large numbers affected by disease (for instance, 65,000 people died during the typhus epidemic in 1817–1819) (O'Neill, 1973b, p. 10). There were also 454 dispensaries that gave free medicine to the poor. Their funding was voluntary, based on local subscriptions and money from grand jury presentments (Burke, 1987, p. 9), though subscriptions were difficult to raise in areas that had absentee landlords (O'Neill, 1973b, p. 5).

Relief practices began to change slowly so that by 1820, the government had 'introduced public work schemes, imported seed grain, and established local and national boards of health' (Dickson, 1989, p. 107). This system, especially in the western part of the country, dealt with the 'minor' famines (of a few months in duration) brought on by the potato crop failures that occurred in 1822 (when about a million people were destitute), 1831, 1835–1837, 1839 and 1842. For instance, during the 1822 famine on the Aran Islands, potatoes, barley meal and oatmeal were distributed free of charge or at a greatly reduced price. Local charity, as in almost all times and places, was far from sufficient to deal with the crisis, since many landlords gave next to nothing. One large landowner in the west of Ireland took in £83,000 in rent in 1822 but contributed a mere £83 for relief (Royle, 1984, p. 46). The Parliament of the United Kingdom, in contrast, gave £400,000 in relief, funding that was mainly used for small-scale public works such as the construction of piers, canals, roads, bridges and sewers. Work on these projects paid very low 'wages', typically in the form of food.

The ineffectiveness of a system that relied for most of its funding on moral pleas to the wealthy was often exposed, as was the case in Drogheda in 1826 when an economic crisis led to the virtual collapse of the weaving industry. Voluntary subscriptions were used to raise money for public works. By April 1826, 200 people were employed on these works (out of a population of approximately 15,000). Charity balls, charity sermons and lotteries were also used as fundraisers. The public works were discontinued in September due to a shortage of funds. At

this point, 'famished weavers, in groups of about twenty, went begging from door to door' (McHugh, 1998, p. 21). By early 1827, because the poor were so desperate for food, deliveries to the town's bakeries had to be undertaken in the presence of constables. Religious organizations also dispensed relief during times of distress, but even in the 1830s and 1840s, in spite of famine, 'it is obvious that the Catholic church used large sums of money to build churches rather than to give relief' (O'Neill, 1973c, p. 138).

Ireland's 'beggarly agriculture'

In Ireland, like Scotland, the absence of adequate public welfare went hand in hand with a strong attachment of the population to the land. At the beginning of the nineteenth century, most people in Ireland had access to a small amount of property. With this, they could grow potatoes, the staple food of the Irish diet (and possibly the only food, along with a bit of buttermilk, for more than half the population). This crop is unique because it can almost serve as the sole source of an individual's nutritional needs. A lot of potatoes could be grown on a relatively tiny plot of ground, allowing Irish families to make a living, albeit with great difficulty. Around 1800, a 'potato plot was not hard to come by, and once it had been secured a cabin of simple and local materials could be quickly built with the assistance of the neighbours'. In addition, 'over most of the countryside wide stretches of bog provided an inexhaustible supply of cheap fuel', hence 'the main essentials of life – food, shelter, and warmth', were easily secured (McDowell, 1986, p. 657).

The 'ownership' of land in Ireland is an interesting contrast with the English case. At least since Henry II visited Ireland in the 1170s and King John brought an armed force into the country in 1210, the English have tried to impose their own law on the island. There were numerous battles, upheavals, conquests and rebellions in the struggle for Ireland over the next 700 or so years. The Irish had lived under the Brehon Laws, the ancient Irish common law, a legal system based on the decisions of professional jurists. The Brehon Laws were abolished by James I in 1613 and replaced, in theory at least, by English common law. The older native law had always been supported by Irish landlords and especially occupiers, mainly because 'under its rule it was exceedingly difficult to disturb any tenant in the occupation of his share of the clan lands'. From Henry II, then, until James I, Ireland was a country 'subject to two distinct and conflicting legal systems, subsisting side by side'

(Kolbert and O'Brien, 1975, pp. 7, 15). After James I, the imposition of English authority began to challenge some of the traditions of the older Irish laws which, despite these attempts at subjugation by the English, managed to survive rather well.

The 'logic' of the English common law meant that tenants had no firmly established rights of possession. But the people of Ireland never accepted this way of reasoning. In other words, the old Irish customary tenures survived in practice, if not on paper. Tenants would divide their holdings and sublet them to family members or complete strangers. 'The claim to bestow or sell the right of occupancy was what tenant-right meant in Irish, but not English parlance' (Steele, 1973, p. 83). Tenant-right was confirmed in law in Ulster and was openly accepted as a custom by landlords elsewhere. It was a peculiarly Irish tradition, maintained by landholders through sheer force of will, often requiring the resort to violence. Secret societies like the Whiteboys and the Ribbonmen took it upon themselves to enforce agrarian law in an effort to prevent competition for land. They would kill or maim sheep and cattle to show their opposition to the proliferation of pasture at the expense of arable lands. They also used threatening letters, assaults and arson, and they even assassinated a few recalcitrant lords, with the peasant community raising money amongst itself to pay for the hired killer – and his legal defence, should he be caught. Perhaps the most common victim of violence was a greedy man who took over a property when it was clear, from the perspective of the villagers, that the previous tenant had been unjustly evicted. It was the displaced individual, and no one else, who had a right to that piece of land (Knott, 1984).

The battle between Irish landlords and tenants that came to a head in the nineteenth century was over the question of 'whether property was to be thought of as private or as in some sense communal' (Solow, 1981, p. 303). The difference between the two revolves around the issue of who can exclude whom from access to land. Land in Ireland was neither exclusively private nor totally communal but was, as in most places and times, some intermediate form between the extremes. What mattered most from the perspective of the peasants was that there was no market in leases. 'The landlord is not entitled to say to a tenant, "If you don't pay the price I ask, I know someone else who will"' (Solow, 1981, p. 306). This struggle to define the appropriate uses of property went on through the end of the century. George Campbell, in his book *The Irish Land* (1869), concluded that in 'Ireland there are two sets of laws – the English... and the laws and customs of the country, which, enforced in a different way, are as active and effective' (cited in Steele,

1973, p. 91). The report of the Royal Commission on the Working of the Landlord and Tenant (Ireland) Act (1870), published in 1881, conceded the fact that never in Ireland 'was there any trace of an open land market, and of land let by competition at a commercial rent'. It concluded that there 'has in general survived, despite the seeming or real veto of the law, in apparent defiance of political economy, a living tradition of possessory right, such as belonged, in the more primitive eyes of society, to the status of the man who tilled the soil' (cited in Dewey, 1974, p. 62).

Conflict over property culminated in The Land War of 1879–1882 which, similar to the Crofters' War in Scotland, was a political movement through which tenant farmers demanded better terms for land-holding. It led to the second Land Act (1881) which granted the 'three F's': fixity of tenure, fair rent and freedom of sale. Land Acts in 1870, 1881, 1885 and in the ensuing decades created state-supported purchasing schemes, with the result that owner-occupiers came to dominate Irish agriculture. By 1920, tenants had bought 11 million acres of land (out of a total of 17 million). Tenant proprietorship was a reality. The landlord class, having received financial compensation, virtually disappeared.

The recognition of the older Irish laws prevented the development of agrarian capitalism. In the early nineteenth century, the majority of Irishmen were cottiers, 'a species of penniless entrepreneurs who in effect rented the means of subsistence, a cabin, a potato patch, and a cow or cows or pasture, from the farmers, and paid for them by labour' (MacDonagh, 1989, p. 218). They increased in numbers, especially after 1830, when more casual labourers were taking part in the 'conacre' system, giving work and/or money in exchange for the means of production. This increase was fuelled by an enlarged population, doubling from roughly four million in 1801 to eight million by 1841. Accordingly, at this time, a substantial proportion of labourers might be described as 'landed', hence an Irishman who worked in agriculture 'was a very different sort of being from his English counterpart' (MacDonagh, 1989, p. 218). Agrarian improvement in Ireland had been impeded because its class structure had little in common with England's. In Ireland, landlords were either absent from their property or not interested in its management, middlemen squeezed out profits while rarely investing any capital, and labourers could not (and would not) be pushed off the land easily. Well into the nineteenth century, then, the system of surplus-extraction in Ireland resembled the form of tax farming found in ancien regime France (MacDonagh, 1989, p. 220).

As a consequence, in the 1820s and after, while most political economists opposed poor relief, some began to make the case *for* an Irish poor law (Conway, 1971; Powell, 1981). Their objective, however, was not to contribute to the immediate well-being of the cottiers, so much as it was to help engineer a rapid transition to capitalist social relations in Ireland by ousting the poor from their potato plots. For example, John R. McCulloch (1829, pp. 312, 316) maintained that Ireland's miseries were caused by the extreme subdivision of land, a practice that had created a form of 'beggarly agriculture'. Recent legislation against subletting was a good beginning, he ventured, because it would help to 'lessen the number of occupiers, and augment the size of farms'. But he understood that this process of capitalization would not go far unless some provision was made for the newly created workforce, hence his assertion that 'the real friends of Ireland approve the introduction of poor laws, because they believe... that it would be a powerful means of forwarding the clearing of estates, [and] of stimulating emigration'. The poor laws were in the landlords' best interest because, with such legislation in place, social relations could be altered.

George Poulett Scrope (1831, pp. 524, 529, 533, 548) made a similar argument for a poor law. According to this economist, Ireland required an influx of capital, yet few individuals were stepping forward with their money despite ample opportunity for investment. The implementation of public assistance in Ireland, he believed, would attract the needed capital, because it would create a society that was obedient and law-abiding. In the early 1830s, however, the state of the nation was uncertain, especially given the existence of 'thousands of unemployed, half-starving, desperate, and able-bodied men in every corner of the country' who were 'likely at any moment to invade and destroy the improvements in which the capitalists' wealth may be invested'. A poor law would bring about social peace, contributing greatly to the 'tranquillization of Ireland', hence making the purchase of land worthwhile. One only had to look to England to see the effect of poor relief, namely 'the greater attachment of the lower classes to a system of law, which gives them a guarantee against extreme want, and a direct interest in the existing framework of social order'. He concluded that nothing 'is more demonstrable... than that the establishment of a poor-law has a direct tendency to increase the... wealth or capital of any country'.

Many members of Parliament agreed with the above arguments, and it was not long afterward that the calls for reform began to increase. The Royal Commission on the Condition of the Poorer Classes in Ireland was appointed in 1833 and its report, published in 1836, recommended

the establishment of a poor law. There was, of course, opposition to this proposal. Some critics argued that with the massive levels of poverty in Ireland, 'even the most niggardly of public relief schemes... would bankrupt those who had to pay for it' (Ó Gráda, 1989a, p. 110). Social welfare would be a case where poor tenants were paying to support even poorer labourers. In addition, 'less eligibility' could not be maintained in a country where huge masses teetered at the edge of subsistence. Given this, one can understand the hesitancy of a member of Parliament like Daniel O'Connell who said that he would vote against any measure 'because Ireland was too poor for a Poor Law' (cited in Black, 1960, p. 100). Yet by the mid-1830s, political economists, virtually without exception, were in favour of new legislation. It was evident that developing capitalist agriculture was going to involve a substantial displacement of people. This necessitated some measure of public assistance in order to encourage individuals to give up their land and to prevent those who did so from starving. In the end, this argument carried the day, and the Irish Poor Law was passed in 1838. Ireland was soon divided into 130 unions (a union grouped together a number of parishes), each with its own workhouse, with funds being raised by the imposition of local rates. Sir George Cornewall Lewis, Chancellor of the Exchequer, did not surprise anyone when he asserted that the law was aimed directly at the cottier. It was intended to 'loosen his hold upon the land and thus relieve the landlord from the incubus which now presses upon him' (cited in Winstanley, 1984, p. 33). This 'loosening' would not take long. On the day the bill received royal assent, one landlord evicted 1200 tenants (G. O'Brien, 1982, p. 103).

The Irish poor law differed from the English system in a number of significant respects. For instance, outdoor relief was not to be given to anyone, not even the aged, and the workhouse test was to be strictly enforced. In addition, there were to be no settlement laws, a policy which 'reinforced the fact that Irish people, no matter how long their residence in an area, could not acquire a right to relief' (Kinealy, 1989, p. 158). The result was that by 1845, a two-tiered model had developed. There was an official poor law, the 118 workhouses with space for 100,000 people, where the destitute were cared for, along with a crisis-driven form of temporary relief, usually the distribution of food in situations where human life was directly threatened.

The Great Famine and after

In the late 1840s, this system of assistance came under immense pressure when the country was hit by a terrible famine after blight struck

the potatoes, yielding a series of disastrous crops, the first one striking in September 1845. Traditional methods of relief, including importing corn, were used to meet what was thought would be a temporary problem. By the summer of 1846, 700 relief committees had been established. Their objective was to raise funds to purchase and distribute food in return for a small amount of cash or labour. As a rule, monetary relief was not paid out. Food depots were opened in many areas and some public works, mostly road construction, were undertaken. There was an attempt to keep these measures distinct from the workhouse-dominated poor law system, which forbade outdoor relief, a separation that had been maintained during other difficult years like 1839 and 1842. From the government's perspective, if 'outdoor relief was permitted even temporarily, there was a danger that it could become a permanent feature of the Law' (Kinealy, 1994, p. 63). Home Secretary Graham wrote to the Lord Lieutenant in May 1846 that 'it could not be anticipated, that parliament (even if it were desirous) would be able to recede from a step of this sort, which conferred on the people a general right to relief out of the property of the country' (cited in Burke, 1987, p. 105).

Workhouses were to continue in their role of treating only those who were extremely desperate, because these institutions were unable to handle the typical, generalized poverty of Irish society. They were places that few would want to enter anyway, since many workhouses 'were in a state of almost inconceivable filth, disorder and neglect' (O'Brien, 1986, p. 132). The majority of workhouse inmates in pre-Famine Ireland were children, the elderly and the disabled. For example, in Cork in 1843, of the 1900 inmates, only 45 were able-bodied adult males (O'Brien, 1986, p. 117). By March 1846, in all of Ireland, workhouses were at half capacity, caring for 47,000 people.

More bad news came in July 1846. The blight had returned with awful results. The potato crop throughout most of Ireland had been destroyed. But the government was still hesitant to intervene, with most officials believing that local charity could deal with the need, as it (supposedly) had in the past. Besides, it was not the role of the English state to provide the Irish with good wages and cheap food. By the end of the year, there were reports of death by starvation. January 1847 saw the beginning of mass deaths in some areas. In the midst of this tragedy, more food, watery soup and public works were provided to people outdoors because the level of assistance required was much larger than the number who could be accommodated in the now fully occupied workhouses.

In response to this catastrophe, the Poor Law Extension Act was passed in 1847. It finally 'acknowledged the right to relief of certain groups such as the old and infirm, either inside or outside the workhouse'

(Kinealy, 1989, p. 161). Outdoor relief (generally food) to the able-bodied would be given in return for stone-breaking, but only in exceptional circumstances, for instance when the workhouses were full. Once a small fraction of assistance, 834,000 people were being relieved outdoors each month by the summer of 1848 (falling to 784,000 in 1849, plummeting to 141,000 in 1850, down to just 20,000 by 1851) (Burke, 1987, p. 137). The reason for this significant drop in numbers was that with a bountiful potato crop in 1849, outdoor relief was discontinued. The able-bodied went back to receiving relief only in workhouses (Burke, 1987, p. 136).

In addition to rising desperation, an important reason for the short-term increase in the use of outdoor relief was the fact that the workhouses were becoming receptacles of disease. For example, more than 500 people, one-quarter of the total admitted, died in the Fermoy workhouse in County Cork in just two months – January and February 1847. ‘Resigned to death, many entered merely to assure themselves of a coffin and burial at public expense’ (Donnelly, Jr., 1989a, p. 318). In the years 1845–1851, about one million people died, roughly 12 per cent of the country, with the numbers peaking in 1847 (249,000), 1848 (208,000) and 1849 (241,000). Most deaths were brought on by diseases and complications associated with hunger, such as fever, typhus, diarrhoea, cholera, scurvy and pellagra. ‘The million dead represented the almost complete disappearance of the poorest class in Ireland’ (O’Neill, 1973a, p. 28).

In the decade from 1845 to 1855, between 1.5 million and 2 million people left the country, mostly for the United States. The cost of emigrating to America was expensive, perhaps a year’s wages for a labourer, and few emigrants, about 5 per cent, received financial assistance from landlords or the government (Ó Gráda, 1989b, pp. 15, 55). The other major destination for refugees from the Famine was England, especially Liverpool, where in 1851, 22 per cent of the population had been born in Ireland (84,000 out of 376,000). The figure was 13 per cent for both Manchester and Salford. After 1846, the Irish could gain a settlement in England if they had five years of continuous residence in a parish. This was acknowledged in practice. Irish natives received 35–45 per cent of the total outdoor relief in Manchester Union from 1848 to 1858, and 24–40 per cent in Liverpool (for 1848–1854). These were, with few exceptions, individuals who could not be legally removed. Non-settled Irish received little formal relief however, and 63,000 of them were sent back to famine-ravaged Ireland from Liverpool between 1846 and 1853 (Neal, 1995, pp. 31, 38, 41–2).

In Ireland, the effect of poor relief in contributing to the development of capitalist class relations was swift, a transition that 'was tantamount to a social and economic revolution' (Powell, 1981, p. 301). One of the main reasons for this was that the Act passed in 1847 contained what was to become known as the 'quarter-acre clause'. Now, 'any occupier of more than a quarter of an acre of land could not be deemed destitute and accordingly, was not eligible to receive relief' (Kinealy, 1989, p. 162). Many people, with plots slightly larger than a quarter-acre, were in such straitened circumstances that they were forced to give up their land in order to obtain assistance for their starving and diseased families. The Act also required landlords to pay the poor rates on holdings valued at less than £4, rates formerly paid by tenants. This encouraged the owners of property to 'clear their estates of pauperised smallholders who were paying little or no rent' (Donnelly, Jr., 1989a, p. 317). The failure of the potato crop meant that many conacre holders did not have much cash, so they defaulted in large numbers. In April 1848, in Kilrush union alone, about 300 people were being evicted every day. Landlords 'were using the distress and the high poor rates as an excuse to clear their land of small occupiers' (Kinealy, 1989, p. 170). The Famine and the poor law combined to fulfill the programme of many politicians and economists. Their agenda was well summarized by Lord Palmerston who argued, in a letter to Lord John Russell in 1848, that improvement required 'an extensive change in the present state of agrarian occupation' in Ireland, which 'necessarily implies a long, continued and systematic ejectment of small holders and of squatting cottiers' (cited in Kinealy, 1994, p. 219).

And that is what happened. Between 1849 and 1854, about 50,000 families, roughly one-quarter of a million people, were evicted and dispossessed in addition to countless other 'voluntary' surrenders. The quarter-acre legislation, then, 'can fairly be said to have disintegrated the fabric of rural society' (Black, 1960, p. 129). In fact, very large changes in the distribution of land holdings occurred within an extremely short span of time. In a mere seven years, from 1845 to 1851, the number of farms larger than 15 acres went from one-third of the total to almost one-half, and the number under one acre fell from 135,000 to 38,000 (Donnelly, Jr., 1989b, p. 344). In County Clare, farms of five acres or less represented 43 per cent of all holdings in 1841, down to just 9 per cent in 1851 (O'Neill, 1974, p. 24).

Into the 1860s, the differences between the Irish and English relief systems were still clear. For example, in Ireland, 91 per cent of relief was being given indoors as opposed to just 12 per cent in England.

For the English poor, relief in a workhouse was a last resort, something that was accepted reluctantly when no other options were available. Out relief was always more palatable since recipients could live in their own home and, if able, might soon find themselves in a position where they no longer required public support. Hence, the different methods of assistance had ramifications for the development of capitalism. Noting this, one critic of the day, John Kells Ingram, argued that Ireland would never be able to continue along the road of 'improvement' until it moved towards an English-styled welfare system. Writing in 1863, he concluded (in the words of Black) that the Irish poor law was making it difficult 'to convert small-holders into wage-paid labourers'. The lack of outdoor relief meant that an Irish labourer would continue 'to cling to the occupation of land as the only safeguard against the workhouse for himself and his family' (Black, 1960, p. 133). Even at the turn of the twentieth century, critical distinctions still remained between the two countries, not only in the types of relief, but also in the need for assistance. For instance, the Royal Commission on the Poor Laws and Relief of Distress (1909) commented on the lack of aged pauperism in Ireland relative to England:

In Ireland agriculture provides a living for a much larger proportion of the population than it does in England and Wales, and it is possible for people following that occupation to continue at work until a later age than people engaged in other industries. The system of land tenure is also the means of keeping down the rate of aged pauperism for the aged parents continue to dwell on the farms of their sons and daughters though able to perform little or no work.

(cited in Guinnane, 1993, p. 275)

Ireland, then, did not have an extensive relief system until the middle years of the nineteenth century because it was a country where the vast majority of the population had access to small amounts of land. In the decades after the Irish poor law was implemented, it served to encourage the consolidation of land while contributing to the social peace that was necessary for investment. Poor relief helped to facilitate the transition to capitalist social relations in Ireland, a change that accelerated greatly during the Famine years, moving more slowly throughout the latter half of the nineteenth century in a context where land was increasingly owned by occupiers and where, in the 1880s, 60 per cent of adult males in the labour force still worked in agriculture. What happened in Ireland was a slightly different and, temporally, greatly condensed version of

what happened in England in the period c. 1550–1800. Poor relief did not impede capitalist development in England or in Ireland. Rather, as many political economists acknowledged, it was crucially important in permitting that development to take place.

Poor relief in France

France was another country that had growing amounts of poverty in the early modern era. In response, a number of cities attempted to introduce reforms to centralize gift-giving in an *aumône-générale*, which meant that local officials became involved in dealing with the poor, sometimes overshadowing the clergy. More urban centres began to administer the holdings of religious foundations. Plague and food shortages meant that other organizations like charity hospitals had to also coordinate their services, a task typically initiated by municipalities. The results, however, were not a major break with the past from the viewpoint of the poor. Assistance was usually given for brief periods, mostly to those who could not work. Relief practices were fairly standard from one city to the next, as well as between places that were mostly Catholic or mostly Protestant. Outside the cities, assistance to the poor was either haphazard or non-existent (Fairchild, 1976, p. 128). There was little money for poor relief in most villages since virtually everyone lived at a level not much higher than bare subsistence. Individuals in rural areas would only be helped if they lived in close proximity to a wealthy benefactor (Berger, 1978).

By the end of the seventeenth century, the amount of assistance available to the typical French citizen was ‘trifling’ compared to the ‘seas of destitution’ (Chill, 1962, p. 419). Even the ‘bread distributions were on too small a scale to reach all the needy’, so they did not ‘begin to make a dent in the problem of poverty’ (Fairchild, 1976, p. 96). Meanwhile people in England were benefiting from a relatively generous level of poor relief which existed in almost every one of the nation’s parishes. At the same time, the inhabitants of France were much more desperate than those in England who were profiting materially from an ‘improving’ economy. France, in contrast, suffered through mass starvation and epidemics down to the early decades of the eighteenth century. In 1693–1694, 10 per cent of the population died during a famine; 20 per cent in a similar disaster in 1709–1710 (about four million people) (Behrens, 1985, p. 35). Advances were made in the ensuing years which meant that, throughout the eighteenth century, individuals were ‘merely’ undernourished as opposed to outright starving.

Olwen Hufton has proposed that the 'poor' and the 'destitute' formed one-third to one-half of the population in 1789. These people ate inadequate food (measured in terms of caloric intake and nutrition) and had very little milk, cheese, fruit or meat in their diets. Those with extremely low incomes paid up to 90 per cent of their family earnings to obtain their required supply of bread. They owned a pot and a pan, a few pieces of clothes and possibly a bed. 'To be poor was to be virtually without worldly goods' (Hufton, 1974, p. 52). Life was difficult and, for those at the lowest end, almost animal-like. The family economy was precarious and could be shattered at any moment. For instance, the death of a cow, the source of milk and butter, would have been 'an almost unmitigated catastrophe' (Goubert, 1986, p. 107) because a lack of money meant that a replacement could not be purchased. Roughly one-third of the population resorted to begging at some point in their lives. As many as two-thirds of these beggars were children, while the rest tended to be elderly. This was their way of contributing to the family's economy.

A major cause of indigence in France was the numerous taxes and fees procured from landholders, which at the end of the *ancien régime* accounted for one-quarter to one-half of peasant incomes (Moulin, 1991, p. 15). These included the *gabelle* (on salt), *aides* (on indirect sales and manufacturing), the *taille* (on landed income, though the nobility and the bourgeoisie usually received exemptions) and the capitation (collected after 1695, a 'per head' levy, the amount varying among two dozen or so 'classes' or categories). Taxes were paid in cash, an onerous burden especially when it was the poorest people who were filling the state's coffers while 'non-peasants and practically all the rich paid nothing or almost nothing at all' (Goubert, 1986, p. 189). Seigneurial dues were also obligatory. They included a percentage of any land sales that were made, a proportion of the harvest collected each year, and charges for using mills, bread ovens and wine presses, with the type and value of these assessments differing between regions. Church tithes had to be paid as well on the principal produce of each area: corn, vines, new livestock and so on. This money went mostly to rich clerics, and despite the fact that part of the tithe was supposed to be used for purposes of relief, 'almost none went to the poor' (Goubert, 1986, p. 191). In one case near the end of the *ancien régime*, 'the cathedral chapter of Saint-Pierre of Montpellier was paying out tithe-alms valued at just under a thousand *livres* – at a time when its gross annual receipts from tithes were not far removed from a quarter of a million *livres*' (Jones, 1982, p. 39).

Poverty was addressed on an informal basis. In some communities, it was understood that the poor would, at a set time, go to the homes

of their wealthier neighbours to receive scraps of food. This method of relief had its limits, especially during difficult times when the number of needy rose while those able to give decreased. In the strangeness of the cities, this kind of assistance often took the form of begging in the streets. In addition, many of the poor, both urban and rural, had to resort to violent panhandling, threats, theft, prostitution, smuggling and various agricultural crimes, like taking firewood, stealing manure and poaching. Often parents were forced to abandon their children (there were about 40,000 'foundlings' per year in the late 1700s). Sometimes new-borns were simply killed. Infanticide could easily be disguised as a death from natural or accidental causes. Another method of dealing with poverty, which grew in importance in the eighteenth century, was the high level of seasonal, annual and permanent migration undertaken by hundreds of thousands of individuals each year. Migrants were almost always smallholders with insufficient land. They sought employment as harvesters, woodcutters, carpenters, plasterers and so on, forming 'a great reservoir of hungry manpower searching for work and cheap food' (Hufton, 1974, p. 106).

Formal relief in eighteenth-century France consisted of small amounts of alms and bread, usually distributed by the church. A limited number of villages also had a *fond*, a collection of legacies and gifts, generally earmarked for a specific use. Others had a *bureau de charité* (or *bureau d'aumônes*). Alms were collected voluntarily and outdoor relief was given to the 'deserving'. These *bureaux* often existed on an irregular basis – especially in rural areas – being created and disbanded as crises came and went. They gave small amounts of money, as well as food, second-hand clothing and blankets. The assistance offered by a typical *bureau* would have been extremely limited. For example, in one town with over 1000 hungry people, about 100 were fed one meal twice per week (Hufton, 1974, p. 165). The creation and support of *bureaux* depended on affluent individuals who, of course, did not exist in many communities.

More important than these types of assistance was the *hôpital général*, funded by charitable donations from the wealthy. These institutions were begun by St Vincent de Paul in Paris in the 1640s. They were to be based on the voluntary efforts of the community, a founding ethos that was rooted in Christian charity. Their objective was to help the *invalides* and provide employment for the able-bodied. They would house the 'decent' or 'respectable' poor in an environment of prayer and work. They were meant to deal with urban poverty at a time when France's population was overwhelmingly rural. By 1750, there was a *hôpital* in every town with more than 5000 people. Many of them were small,

though a city with 50,000 inhabitants would usually have a *hôpital* containing 1500 beds. The local bishops were responsible for the institutions' finances, with the day-to-day management being carried out by female religious orders. In a royal edict of 1662, the government encouraged the building of *hospitaux*, mainly through the granting of tax exemptions, the revenues from some small taxes such as the *octrois* (a tax on the selling of grain and cattle), and the provision of monopolies like coffin-making. Without direct government funding, however, these organizations were always in a difficult financial state, even though staff and services were kept to a minimum. In the end, the *hospitaux* concentrated their efforts solely on *invalides*, typically young children and the elderly. For budgetary reasons, they were unable to provide work for the able-bodied. The central government even failed to meet its obligations to subsidize individuals, generally beggars and prostitutes, forced into institutions under royal ordinances. In the period 1720–1760, government payments to *hospitaux* (which were meant to cover half the costs for those confined) were frequently in arrears, sometimes for decades (Fairchild, 1976, p. 61).

One task that many *hospitaux* did take on was the distribution of food. In the 1740s in Montpellier, a city of 33,000, about 4500 people a year were being given bread (Jones, 1982, p. 62). However, by 1761 the bread distributions were ended as the *hôpital* flirted with bankruptcy. A similar story is told of Grenoble, a city of 20,000, where 1200 pounds of food were being handed out every week, but this largesse was dramatically cut back in the 1770s. In this city, being unemployed was not accepted as a reason why one could request bread. If 'an individual, especially a man, was able to work but could not find employment, then he simply did not receive bread, and neither did his children' (Norberg, 1985, p. 192). As the eighteenth century wore on, the *hôpital* in Grenoble was falling deeper into debt, a problem that seems to have been replicated throughout most of urban France. In 1795, the *hôpital* abandoned bread distributions in an effort to avoid insolvency (Norberg, 1985, p. 291).

The absolutist state did little to help the poor and much to hurt them. For instance, Louis XIV issued an edict in 1672 ordering the inspection by nobles of hospices and *maladreries* (local charitable institutions), with the expressed purpose of confiscating the funds if they were being 'mismanaged' (defined as those that were contravening their charters in some way). The objective was 'to reroute town and village poor relief funds to nobles in order to buy their obedience'. The edict was a 'vehicle for carrying out the transfer of funds from the church-linked institutions of poor relief to the military'. Officials appropriated the very limited

funding of more than 4000 small hospitals, *maladreries* and *bureaux de charité*. The amount of money taken, despite this great effort, was not large, enough to fund about 145 military pensions. The edict was repealed in 1693 when an inquiry showed that this scheme was nothing more than a 'usurpation of funds specifically bequeathed to the poor' (Hickey, 1992, pp. 14, 32).

Throughout France, formal and informal relief fell far short of what was required (Hufton, 1974, p. 174). Direct government assistance to the poor did little to make up for this inadequacy. The state generally confined itself to grants and tax concessions to places hit hard by floods or harvest failures. Later in the eighteenth century, areas struck by disaster may have also been provided with food and medical supplies. After the 1760s, however, there was a growing amount of destitution, especially in rural communities. Private charities were increasingly unable to meet needs, often facing bankruptcy. As a result, a new focus was placed on smallholders and agricultural labourers. Rural seasonal unemployment during the winter months was to be addressed by the *ateliers de charité*. Work, usually building roads, would begin after a local seigneur promised to make a significant contribution to the project. State funding would then be used to 'top up' this amount (Olejniczak, 1990). The *ateliers*, however, did not exist in at least half the country, and by the winter of 1789 they were employing only 31,000 people. They were not intended for urban areas, never employing, for instance, more than 30 men at a time in Grenoble (Norberg, 1985, p. 217). Even where they did operate, the wealthy did not supply the public funding. The *ateliers* received their government monies from taxes that were imposed on the peasantry, which meant that 'the relatively poor of the country were...to support the really poor of the country'; hence, the *ateliers* proved to be a 'feeble palliative to a chronic malady' (Hufton, 1974, pp. 185, 193). In sum, aside from money spent on the *maréchaussée*, who policed vagrancy in rural areas; the *dépôts de mendicité*, prisons for beggars, vagrants, petty thieves and prostitutes, funded by the monarchy after 1768; and the care given to abandoned children, state involvement with and assistance to the poor in ancien regime France was virtually negligible. It was only from about the 1770s on that 'government aid in the form of tax reductions, charity workshops, emergency grants, and some help for the hospitals became a permanent if small feature of the state's activities' (Schwartz, 1988, p. 176).

The most significant change of the Revolutionary era was the development of the *comité de bienfaisance*, which survived the 1790s as the

key element in a long and slow transformation of providing assistance to poor people who were not institutionalized. These charity bureaus provided typical in-kind benefits – food, clothes and medicine – which, as usual, were terribly insufficient in the face of grain scarcities and unemployment. Numerous administrative changes were made during this decade, but the basic structure of assistance survived into the Napoleonic era. In addition to money that was raised locally, centralized funds also began to be allocated ‘among the neighborhoods according to their number of indigents, while unsalaried commissioners... distributed the aid, almost always in kind’. It is from this period that for ‘the first time one can speak of public assistance’ (Woloch, 1986, pp. 809, 812) in France. Nevertheless, the state-centred *bienfaisance* of the Revolutionary era ran into great difficulty because the ‘economy of the 1790s could not produce the wealth required to support such a program’ (Weiss, 1983, p. 47). Many forms of assistance remained temporary. In Grenoble, when a bad harvest struck, bread was given free to the very poor; for others the price was geared to income. The programme benefited up to 80 per cent of the city’s population in the winter of 1794–1795 but it was halted in 1795, a good harvest year.

Private charity and common rights continued to form the heart of French poor relief throughout the nineteenth century, so ‘the change instituted after 1789 in most fields of social provision hardly merits the term “revolutionary” at all’ (Forrest, 1981, p. 171). The government did implement a pension scheme for the aged, sick and infirm in 1793–1794 yet, to give an example from the commune of Saint-Pons, the ‘annual’ pensions were ‘scarcely enough to feed a family of five for a couple of weeks’ (Jones, 1982, p. 177). In the mid-1790s, of the agrarian population of roughly 180,000 in Montpellier, Béziers, Lodève and Saint-Pons, just 1000 (0.6 per cent) were receiving a pension from the Grand Livre de Bienfaisance Nationale (Jones, 1982, pp. 179–80).

By the 1820s, the *bureaux de bienfaisance* were organizing relief in some communes, though they received little state aid and were ‘primarily financed and controlled by local notables’ (Price, 1983, p. 429). In 1871, over 60 per cent of communes containing 40 per cent of the population still did not have a *bureau*. Where *bureaux* did exist, roughly three-quarters of their expenditures were in-kind, mostly bread and fuel (Weiss, 1983, p. 50). This charity was in addition to hospitals and hospices which helped the sick and the aged as well as assistance that was being provided to the mentally ill and abandoned children. Several modifications were made in the decades leading up to the First World War so that in 1912, just 20 per cent of communes were without

a *bureau*, and public assistance had finally equalled the amounts being spent by private charities (Weiss, 1983, p. 77).

Peasant proprietorship in France

What accounts for the slow development of public welfare in France, which reached significant levels only well into the twentieth century? An important reason was that peasants, who formed three-quarters of the population in 1789, had proprietorship of substantial quantities of land. In the early modern era, most peasants 'acted exactly as if they were absolute owners of "their" land, selling or letting it, and bequeathing it, exchanging it, even giving it away' (Goubert, 1986, p. 24).⁴ It was not that a form of agrarian egalitarianism eliminated the need for welfare. This was clearly not the case. For example, in the second half of the eighteenth century, 50–90 per cent of families (depending on the region) did not have enough land to ensure independence, so they had to sell their labour for a wage or go into debt, many of them living a life of poverty and deprivation. Still, France at this time had 'no large class of agricultural laborers, except in the North where a landless rural proletariat [had] developed' (Sargent, 1961, p. 194). It is impressive to note that the amount of property in peasant hands (either owned or rented) increased in the nineteenth century, from approximately one-third of the total at the time of the Revolution to roughly one-half by the late 1800s (Labrousse, 1966, p. 51). In the 1860s, a situation existed whereby 'the ownership of at least a few parcels of land by the majority of peasants predominated' (Sargent, 1961, p. 198). Roughly half of France's peasantry did not need to earn wages because they had access to enough land. In addition, due to various technological improvements and the elimination of seigneurial dues and tithes, the minimum living space required for a family of five fell dramatically from 3.3 hectares at the end of the old regime to at most 1.4 hectares by the mid-1880s (Labrousse, 1966, p. 57). This contributed to the independence of the French peasantry, a degree of freedom that would not end until after the mid-twentieth century, for peasants still controlled at least 53 per cent of agricultural holdings in 1955 (Labrousse, 1966, pp. 52, 64).

The result of fairly pervasive peasant tenures was a method of agriculture that was distinctly 'premodern', almost medieval. In the eighteenth century, the vast majority of leases, at least three-quarters, were granted in return for a share of the crop (*métayage*). Other leases required that the farmer (*fermier*) make a monetary payment. A small *fermier*, however, would have had little excess production for the market, so he was not

very different from the typical *métayer*. Some substantial tenants, *fermier général*, lived off rents collected from *métayers*, to whom they had sublet land. This was not the same as the English case of landlord and capitalist-farmer, though, since it was difficult to raise the rents of *métayers* above what was customary (roughly one-third of the wheat harvest). Even the *gros fermier* operated in a typically French fashion. These large tenants leased 500–1000 acres, though often in the form of scattered plots, as opposed to a single farm. Found generally in the *bassin* of Paris, they hired wage-labourers and sharecroppers and engaged in commercial farming. However, and crucially important, the *gros fermiers* ‘had no direct control over farm production’ (Forster, 1970, p. 1613). For the most part, *unsupervised* peasants directed the labour process. They determined the way in which land was cultivated. This led the English agronomist Arthur Young to throw up his hands at the absence of real improvement despite, in some cases, the outward appearance of change. ‘The marvellous folly’, he commented, ‘is that in nine-tenths of all the enclosures of France the system of management is precisely the same as in the open fields’ (cited in Behrens, 1985, p. 132).

In the Revolutionary era, peasants ‘with access to land experienced a marked improvement in their material well being, yet it was not of a nature to set in motion the mechanisms of agrarian capitalism’ (Jones, 1990, p. 49). The challenge of feeding a growing population ‘was met by the traditional expedient of opening up more land and not by means of progressive improvements in agricultural efficiency’ (Jones, 1988, p. 257). Even by the 1880s, subsistence agriculture persisted, with its reliance on family labour working small units of property, and it was only after this point that France witnessed a move towards the cultivation of market crops (Labrousse, 1966, p. 60). Growing an extensive amount of goods for exchange usually required that a farm consist of more than five hectares (which 70 per cent did not). With few exceptions, agriculture in France by the first half of the twentieth century seemed to have been frozen in time. Writing in the 1930s, Marc Bloch (1970, pp. 246–7) commented that

none of the essential features of small peasant farming have disappeared in the course of the nineteenth and early twentieth centuries. Peasant proprietorship, in the full legal sense of the term, has been conspicuously successful in maintaining its ascendancy over much of the soil.... It is trite but true to observe that today peasant farming is still a great economic and social force. The small holding is still landlocked in its antiquated lay-out of fields, still stubbornly

resistant to change; there is little inclination toward sudden innovation... and ancestral habits are abandoned only with difficulty; technical improvements have made little headway... peasant farming has not succumbed under the pressure of agricultural change. France is still a country where the land is in many different hands

And so the past continues to dominate the present.

It was only after 1950 (!) that 'the peasantry was confronted by a series of changes which deserve to be described as revolutionary' (Moulin, 1991, p. 165). These included greater mechanization, new crops, dependence on commercial markets, spectacularly increased production, improved yields per acre, an influx of capital, larger operations and fewer farms, with almost half of them disappearing between 1955 and 1988.

Another factor that allowed the poor to remain fairly independent was common rights in arable land and forests. Especially important was gleaning, an activity 'reserved for old people, amputees, small children and other persons who lacked the strength or faculty for regular work' (Sargent, 1958, p. 100). Throughout the eighteenth century, gleaning was increasingly protected by royal legislation. Unhindered access to the remains of the harvest was to be the contribution of farmers to the very poor and infirm. In the 1780s, when the English were losing their legal right at common law to glean, this right was being preserved in France. Courts were forbidding farmers to sell their gleaning rights on the open market; they would not allow *fermiers* to glean their own land; and they refused to authorize the granting of gleaning rights to those outside the traditional categories of need such as the wife of a farm employee, because her family was considered to be relatively well-off (Vardi, 1993, p. 1439).

Additional common rights included access to leftover grapes and hay, removal of the grain stubble that was left in the ground and the grazing of animals on unenclosed land. Forests provided fuel; materials for tools, buildings, fences and furniture; as well as food for peasants and their animals in the form of fruit and small game. This way of life came under attack during the French Revolution, so much so that 'the defence of common rights became a key issue, perhaps *the* key issue, in the political programme of the poor peasantry' (Jones, 1988, p. 9). The peasantry recognized the legitimacy of limited private property, seeing this as compatible with efforts to preserve their own rights, especially their access to land. In the end, despite some victories for landowners, the National Assembly was forced to accept *droit de vaine pâture* (grazing

stock on unenclosed fields) and *droit de parcours* (grazing on stubble and fallow). Hence, 'two key institutions of peasant farming survived virtually unscathed' with the result that by the end of the Revolution, 'there were probably more peasants relying on collective rights than there had been at the end of the *ancien régime*' (Jones, 1988, pp. 132, 258). By the 1870s in the communes that did not have a *bureau de bienfaisance*, the people 'received public assistance only in the form of medieval rights to the use of communally owned land' (Weiss, 1983, p. 50). Common rights were slowly taken away in many areas; however, they survived in some places until relatively recently. For instance, by 1929 three million hectares of uncultivated land and forests and 1.6 million hectares of non-cultivated land were communally owned. As late as 1949, 22 per cent of wood lots and forests remained in common hands (2.4 million hectares) (Sargent, 1958, p. 107).

In sum, the difference between England and France in the quantity and nature of poor relief provided from the sixteenth to the nineteenth centuries rests on a number of factors that have to do with the presence or absence of capitalism in each country and the type of state that conformed with the emergence of capitalism in England. First, it is possible that the wealth created by England's capitalist economy had something to do with the apparent paradox of poor relief, where a relatively rich country had welfare provisions while destitute countries did not. Wealth changes the moral precepts of a society. It was one thing for people to starve to death or, more likely, to face extreme deprivation in times and places where there was simply not enough food to feed everyone. Redistribution would have saved few lives, because there was so little available to exchange. England was different. Starvation in the presence of opulence would have without doubt precipitated a violent response and would have posed a major threat to the social order.

Second, the English state was located in a society where the socioeconomic relations ensured that *productivity* would be an imperative. Some writers argued that labourers should be kept poor but others, notably Adam Smith, saw the success of the economy as a whole resting on a healthy, literate, well-paid workforce. If total output grew, the poor could have an increasing share. The state did not assume an active role in the creation of indigence, while it did play an important part in addressing the unique type of poverty that grew out of a privatized market economy. The opposite is true of France where venal officeholders bore down on an impoverished peasantry, whose levels of destitution shocked English visitors like Arthur Young. Extremely high levels of taxation, onerous rents and the feudal dues that were in place until

1789 meant that most French people maintained a bare subsistence and were constantly in distress.

Finally, in England, the old agrarian claim to common rights and the various 'titles' to land (written or unwritten, copyhold or 'at will') were, over time, transformed into public relief. As part of the transition to capitalism, England's burgeoning proletariat *exchanged one right for another*. The English poor would now possess a different right. In France, in contrast, the peasants, no matter how poor, would have to give up the direct management of their land and their access to common rights in return for a welfare state. That long and drawn out process only began after the Revolution and was far from complete even by the end of the Second World War.

Land and *Pauperismus* in Germany

Germany, more than any country, is seen as a forerunner in the provision of social assistance mainly because of Chancellor Otto von Bismarck's reforms of the 1880s, leading commentators to assert that Germany 'produced the first modern welfare state' (Steinmetz, 1993, p. 4). On this matter, there are few dissenters. According to Lees (1996, p. 215), the 'late nineteenth and early twentieth centuries, historians agree, witnessed a European-wide turning away from *laissez-faire*, but what happened in Germany was of central importance'. This focus on Germany has had an unfortunate result, in that historians have frequently become entranced by the fact that Bismarck made a few modifications to social policy a decade or so ahead of England. Meanwhile, England's centuries-long lead in the provision of a universal tax-funded poor relief system is ignored, with all of Europe prior to Bismarckian Germany being lumped together as 'laissez-faire'. But if the 'welfare state' refers to government actions to protect people from the hazards of the supply and demand labour market, then Germany was at least 300 years behind England in the creation of substantial public benefits. Once again, the reason for this is the virtual absence of capitalist social relations in German society, down to the nineteenth century.

The peasantry in late eighteenth century German-speaking central Europe accounted for about 80 per cent of the population in these territories, with some peasants undertaking additional work outside agriculture, mainly in domestic industries. They were divided between (roughly) serfs in the east, who were for the most part tied to the land, and tenants in the centre, south and west, who did not have a personal legal status that was servile. The rights of tenure of those who tilled the

soil varied across space and time. Most peasants, though, had a form of tenure that allowed them to pass their property on to their children. In return, they paid rents in the form of dues, fees and/or services. Around 1800, peasants and farmers with sufficient land would have formed from one-third to one-half of the rural population. A similarly sized group of smallholders would have supplemented their limited plots with wage-work and/or spinning and weaving. Another one-quarter of the population were landless individuals, casual or mobile workers who would have rented cottages or rooms from their employers. In sum, at the beginning of the nineteenth century,

a working class did not yet exist. Most of the persons and families who belonged to the lower classes were not really wage workers.... Most had income from different sources, wages playing only a partial, often only subsidiary, role. For many smallholders and self-employed artisans, wage work was a temporary and irregular experience. Most cottage workers and a minority of self-employed craftsmen had become very dependent on merchants and other employers but still usually owned their tools and the rooms in which they worked, mostly together with their families. Some even employed helpers themselves. The domestic servants, many agricultural workers, and most unmarried journeymen were integrated into their employers' households; the bulk of their income came in kind (lodging and food) and was for the most part independent from market changes.

... [Wages themselves] were still deeply embedded in various feudal and corporate ties, household structures, government regulations, rules of custom, and other nonmarket relations.

(Kocka, 1986, p. 287)

After Napoleon defeated Prussia in 1806, a number of reforms, traditionally described as economic 'liberalism', were introduced into the German states, especially Prussia. For our purposes, the most important of these was peasant 'emancipation'. The October Edict of 1807 granted personal freedom of movement to a large number of individuals who had been more or less tied to the soil. A further edict in 1811, as well as the Declaration of 1816, allowed peasants with sizeable property to become proprietors, in return for relinquishing between one-third to one-half of their land or securing a financial settlement with their lord. Smaller peasants were not given this option because, with limited plots, they could not be self-sufficient. Other edicts were passed to divide

common lands and consolidate fields. Many peasants were excluded from this process as well, so they lost access to a common, required for pasture and the gathering of items for fuel. Now, unable 'to feed an animal to supply milk and butter, and without a source of firewood, they were dependent on the chance to earn a wage' (Sagarra, 1977, p. 346). Substantial amounts of land were enclosed after 1770, especially in the period 1820–1860. By 1850, Prussian estate owners had received about nine million acres or 86 per cent of the common land that had been divided up over the previous three decades or so (Lenger, 2004, p. 94). Those who managed to hold on to small parcels of land soon discovered that they could not compete against their larger counterparts because they did not have adequate capital or credit, a situation exacerbated by an agrarian depression in the 1820s when many of those who had survived the earlier partitioning were forced under.

The results were predictable. For example, in 1800 in Westphalia, almost every poor family owned a cow, but less than one-third did by the 1880s (Brakensiek, 1994, p. 175). In Belm, northwest Germany, 43 per cent of the land was still held in common by 1806, but this was divided over the next 30 years. By 1812, two-thirds of households were landless in Belm, eventually incorporated into the *Heuerling* system, where individuals received access to a small piece of land and a cottage, the use of the landlord's horses for ploughing, and access to a common, in return for a money rent and labour services. In this case, families relied on linen production to supplement their incomes, especially in winter, the downside of the agrarian cycle (Schlumbohm, 1992).

The emancipation of the peasantry (that is, their *loss* of substantial rights) was accomplished roughly in the first half of the nineteenth century, a time when landlords 'transformed themselves from something the equivalent of self-sufficient gentlemen farmers into capitalist entrepreneurs' (Sagarra, 1977, p. 189). A number of contemporary analysts saw reforms as a prerequisite to agrarian improvement. In particular, the 'system of dual proprietorship of the land had to be abolished' in order to create capitalism (Hamerow, 1958, p. 39). The partitioning and enclosure of common lands, the consolidation of holdings, and the abolition of use-rights to fields and forests 'terminated all collective claims on the soil' (Brakensiek, 1994, p. 137). This led to the introduction of capitalist methods of organizing work, with farms producing for the market, the development of new breeds of animals, the improvement in field rotations with different crops and so on. Peasants, in turn, became day-labourers or seasonal migrant workers, mostly in agriculture. Some individuals (generally mowers and threshers) received small

plots of land in lieu of part of their wages, though fewer did so as the decades passed, because landlords wanted to incorporate property into their own farms. There was an increasing reliance on cash payments as opposed to in-kind benefits, and often those wages proved to be of less value than the goods received.

Between 1815 and 1835, Prussia experienced 'an agricultural revolution on a scale unequalled at the time by any other major continental country' (Behrens, 1985, p. 196). This transformation was important because it threw individuals on to 'the market'. The ramifications of this can be seen from one study of manorial labourers. In Stavenow (Brandenburg) in the 1580s, foremen, woodsmen, shepherds, ploughmen, dairy workers and so forth, received their remuneration mostly in the form of in-kind goods: rye, porridge, cake, soup, barley, cheese, herring, cod, pork, lamb, beef, vegetables, eggs, butter, fruit, milk and beer. Workers would also have received room and board, a nominal amount of cash and a clothing allowance (Hagen, 1986, pp. 147–8). These payments, the customary wage, remained fairly stable for nearly 230 years, down to 1810. It was only at this point that money wages began to dominate as estates took on a capitalist form and the threshers and day-labourers were proletarianized. By the 1860s, workers throughout Germany were receiving much less grain as part of their 'wages' and their access to land had been either eliminated outright or reduced to a tiny potato patch. Towards the end of the nineteenth century, it was standard practice for landless labourers to be earning a monetary wage.

In the 1830s and 1840s, industry could not absorb the quickly growing labour force. The result was that, after c.1820, the poverty of the landless peasant became a serious concern, reflected in the words used to describe groups of people, whereby *Proletariat* gradually replaced *Pöbel*. *Pöbel* had been in use since the middle ages as a term for those at the bottom of the social order who were poor but who had an important role to play in agrarian society, for example, day-labourers, domestic servants, cottagers and older members of the community. In the 1830s, the word 'proletariat' began to take over, signifying 'in general those without property, people who live a hand-to-mouth existence' (Conze, 1985, p. 57).

Commentators in the 1830s and 1840s were concerned with the *soziale Frage* – the 'social question' – or, more narrowly, *Pauperismus* (pauperism), a term adopted directly from the English language where it had been used for centuries. The new German word constituted the recognition of a novel type of poverty, a consequence of the fact that people were no longer protected by a feudal lord, had lost access to their

communal form of care (common land and its accompanying rights), and were now reduced to living in what were called 'Irish conditions', subsisting on a diet of mostly potatoes. In the face of such a miserable existence, thousands of people resorted to illegal activities. For example, wood theft – taking uncut and unprepared wood, such as branches that had fallen off trees – became a regular crime by the mid-nineteenth century in Prussia. The privatization of forests in the years from 1800 to 1850 meant that wood, as a source of energy and as a raw material for buildings and furniture, now had to be 'stolen' whereas previously it was part of the peasantry's bundle of 'rights'. Not surprisingly, the typical wood thief was a day-labourer. The number of thefts rose and fell in line with the business cycle and the change of seasons, reaching their height when people were cold and penniless (Mooser, 1986).

The period of desperation, including the crime of wood theft, reached its peak in the 1840s – the 'hungry forties'. At this time, in a number of regions, 'raids on fields, orchards and grain stores became exceptionally common and widespread' (Plaul, 1986, p. 122). Food riots were undertaken, some with upwards of 5000 participants. Disruptions occurred in the marketplace, merchants and dealers were attacked, and ships laden with food were prevented from leaving ports. In Eastern Prussia, there developed 'a special form of collective food march' where hundreds of landless people 'equipped with sacks, bags and baskets' went in search of food (Gailus, 1994, p. 173).

The social question was a source of constant debate. In the 1830s and 1840s, the focus was on *Pauperismus* (generally, rural poverty) and in the 1850s and 1860s, more so on *Arbeiterfrage* (generally, the industrial proletariat – the 'working class question'). It is in the decades after the 1850s that industrial capitalism mushroomed and began to slowly absorb the former agricultural workers. In the period c.1815–1880, Germany was notable for its 'speed of conversion to the market economy' (Borchardt, 1972, p. 19), its social structure undergoing massive alteration. These changes were pushed along by the state in a 'revolution from above', geared to the total transformation of the economy. Older, non-capitalist common rights and guild protections were abolished, replaced by the free labour contract and a state-supported destruction of traditions like Saint Monday (the practice of working few – or no – hours on Monday, making up time as the week progressed).

Conservatives, in particular, were horrified by what they saw unfolding. They wanted to hold back the tide of social change, regretting the loss of corporations and guilds and the absence of security for

individuals, who now had very loose bonds to the community. They wanted restrictions on markets and competition because, according to one Berlin newspaper in 1837, 'the higher the development of industrial freedom in a country, the more rapidly the caste of paupers will grow' (cited in Beck, 1995, p. 54). But conservatives did not want an English-styled poor law. They preferred the older order where 'peasants performed services for the manorial lord in return for shelter, food, and other kinds of social assistance' (Beck, 1995, p. 60). However, some conservatives, writing in the mid-1840s, realized the clock could not be turned back, so they began to acknowledge the importance of state action in tackling poverty.

From poor relief to Bismarck's reforms

Given Germany's social structure, it is not surprising that it had no significant territorial poor relief systems in the early modern era. Even by the end of the eighteenth century, poor relief was 'little more than a series of *ad hoc* measures' (Sagarra, 1977, p. 167). There were greater efforts at relieving the poor in large urban centres, but even these were inconsistent and narrowly restricted. The city of Hamburg, for instance, in the period 1450–1750, distributed alms, bread and clothes and provided a shelter for invalids, the insane, the elderly and orphans. This was paid for mostly by private charities and legacies. There was no regular funding, yet this 'hodge-podge worked well as long as poverty itself remained limited and thus of minor concern' (Lindemann, 1990, p. 13). Relief was given to the destitute but not the general labouring poor who constituted probably half the city's population. Extraordinary measures, of course, were needed in times of plague and economic depressions. Reform of the relief system was undertaken in Hamburg in the 1780s (and other cities like Berlin, Hanover, Mainz and Vienna), but it still remained 'traditionally oriented' (Lindemann, 1990, p. 172). This limited support – mainly to widows and children – was virtually destroyed with the Napoleonic invasion in 1806. By this time, there was still no tax aimed directly at poor relief, a practice that had always been opposed. The municipal treasury did allocate some funding, though voluntary contributions still constituted two-thirds of revenues going to the indigent. By 1814, the relief system that did exist was bankrupt.

Poor relief was gradually implemented in more areas, especially after Prussia made legislation mandating such relief in 1842. Cities now had to provide assistance to their resident poor, with provincial boards caring for those without a settlement. But grants from state treasuries were still

low and funding tended to be forthcoming only under extraordinary circumstances – and even this could not be counted on. For instance, an investigation into the desperate situation facing Silesian weavers in 1844 showed that ‘regular poor relief merely existed on paper’ (Beck, 1995, p. 173). Cities began to either develop or modify their systems of relief, especially after the 1850s, based on a model adopted in Elberfeld, where proto-social workers visited poor families; the emphasis was on avoiding long-term support for recipients. An 1870 act extended the Prussian poor law throughout most of the new German nation-state. Until 1871, the central government did not do much except direct the small efforts of municipalities.

Notable reforms to German social policy were made in the 1880s, a period when fully half the population was still working in agriculture. In 1881, Bismarck spoke of the ‘social question’ as something ‘which has been hovering about us for fifty years now’ (cited in Paur, 1981, p. 430). He supported three key pieces of legislation to deal with this ‘question’: the 1883 Sickness Insurance Act, which provided 13 weeks of benefits to the physically incapacitated, including those who had been injured at work; an 1884 act which created no-fault accident insurance, providing benefits for those who had been hurt on the job and who needed more than 13 weeks of assistance (a bridge beyond the sickness insurance); and the 1889 Disability and Old Age Pension Act, which made provision for those aged 71 years or older who were unable to work, for physical or psychological reasons.

But this legislation was neither comprehensive nor progressive. It provided low levels of support, often made employees bear a large part of the expense (hence redistributing very little across classes) and excluded many workers from receiving benefits. For instance, the Sickness Insurance Act was funded two-thirds by employees and one-third by employers, hence it ‘placed the cost overwhelmingly on the workers themselves for the period when maintenance had to be paid to the large numbers of people suffering from minor injuries’ (Hennock, 1990, p. 83). By 1885, this measure was covering just 10 per cent of the population. Accident insurance looks better on paper. Employers contributed all of the funding and the system paid out two-thirds of average earnings. However, it was not easy to make a successful claim, seen by the fact that in coal mining and heavy industries only about 15 per cent of accidents were compensated (Tampke, 1981, p. 78). The 1889 old age and disability insurance was funded roughly one-third each by employers, employees and the government (the state paid 50 marks per pension per year). Benefits, however, were not large and ‘only a small percentage of

the population was entitled to receive anything for many years' (Lees, 1996, p. 223). By 1914, more than 90 per cent of the recipients were invalids as well as being aged, so it was not a standard form of retirement pension, given after a certain age regardless of one's health. In 1898, just 11 per cent of the population aged 65 years and over were collecting benefits. A decade later, the English had their 'new' pension in place, yet when 'compared with the British old age pension law of 1908, the relative value of German benefits seems meager, particularly since couples over age 70 in Britain collected a double amount' (Conrad, 1996, p. 351). By 1885, twice as much was being spent on local poor relief than the more famous social insurance, and funding for relief may have been higher as late as 1912 (Steinmetz, 1993, p. 111). Women especially relied on relief because of their low levels of participation in the paid labour force.

These drawbacks to Bismarck's reforms have led one commentator to suggest that the legislation of the 1880s has been 'greatly overrated' because it had a 'limited' impact on people's lives. Rather than a world-historic break with the past, it should be seen more as 'an episode in the century-long struggle of the Prussian state and establishment to come to terms with the social impact of industrialisation' (Tampke, 1981, pp. 71–2). In general, Bismarck's reforms 'provided a framework of legal compulsion and administrative terms of reference, but not much more' (Rosenhaft, 1994, p. 29). In its first few decades, at least, 'Bismarckian social insurance did not dramatically alter a social situation in which labor force participation, the family economy, and urban poor law institutions (out-door or in-door relief) had provided for most workers' later years' (Conrad, 1996, p. 350).

George Steinmetz (1993, p. 5) has asserted that the German case 'has advantages if one is interested in exploring alternative theories of the welfare state' because 'one possible explanation for social policy is bracketed – *international diffusion*'. This is an error, one that has been repeated in the literature on countless occasions. It was not Germany but England that brought the first welfare state to fruition. Not Bismarck, but the legislators, churchwardens, overseers and justices of the peace of Elizabeth's day. Not late nineteenth-century Germany, where social change was 'a response to compelling pressures emanating from a world economy now dominated by capitalism' (Mooers, 1991, p. 146), but the England of Shakespeare's lifetime, the very birthplace of the capitalist mode of production.

In the three centuries after 1500, the agrarian class relations in England, dominated by a growing body of landless wage-labourers, stand in stark contrast to those in Scotland, Ireland, France and Germany. In these peasant-based societies, consisting mostly of servants and various tenants with substantial legal and/or social rights to land, poor relief provided by government was negligible until well into the nineteenth century, at least 200 years after it had become a central feature of socio-economic life in England. Discussions of the rise of the 'European' welfare state in the post-medieval era do not give appropriate attention to the unique character of English poor relief – and why it was unique – or the role this social assistance played in the evolving class structure of agrarian capitalism. In contrast to Innes' (1999a, p. 234) claim, poor relief in England most certainly *did* 'differ greatly from that to be found elsewhere in Europe'. The analysis in this chapter has, I believe, given support for the main argument developed throughout the book. To provide more examples would be repetitive and redundant. It is now time to lay out some general conclusions.

7

Conclusion: Capitalism and the Origins of the Welfare State

In many ways this work has turned things inside-out, not just in its argument but also in its architecture. Most books on the history of British social welfare begin with a few pages on poor relief as a preface to telling the more momentous story of the 'coming of the welfare state'. In contrast, I end with a coda on the direction taken by poor relief after 1860, having provided a detailed survey of its development from the late medieval era onwards. I then make some general remarks on the relationship between capitalism and the welfare state and comment on the role that relief played in the transition to capitalism. I conclude with a brief observation on capital's never-ending need to 'reform' social assistance, pointing to the case of the 1996 changes in the United States that ended 'welfare as we know it'.

Towards the 'welfare state' in England, 1860s–1940s

In the final decades of the nineteenth century, poor relief still played an essential role in the lives of a substantial section of the population in England. For instance, in Colyton, south Devonshire, 38 per cent of male household heads received relief from the rates at some point between 1851 and 1881 (Robin, 1990, pp. 196–7). Even during the peak years of the Industrial Revolution, then, social assistance was a necessary form of support to countless individuals. Never was this more evident than during the Lancashire 'cotton famine' in the early 1860s, when cotton could not be imported from the southern United States due to a blockade set up by Union forces as part of the American Civil War. An effect of this was that many workers in Lancashire textile industries went on short-time or were laid off, peaking at the end of 1862 when

well over a quarter of a million people were receiving relief, the greatest pressure ever placed on the resources of the poor law. When layoffs occurred, individuals would first use up their small savings and then pawn whatever goods they had. But these expedients could keep a family afloat for a few weeks at most, seen by the fact that the relief rolls soared within a month or two after a rapid increase in unemployment. In poor law unions that had the greatest number of adults working in the cotton industry, the proportion of the population receiving relief went from a range of 1–3 per cent in September 1861 to a range of 11–26 per cent by November 1862 (Boyer, 1997, p. 62).

As for the non-able-bodied, there was little change in their treatment in the decades after 1834. They were served by the larger workhouses which endured in the role of multi-purpose centres that cared for those who could not care for themselves. The Medical Officer to the Poor Law Board commented in 1868 that the individuals 'who enjoy the advantages of these institutions are almost solely such as may fittingly receive them, viz. the aged and infirm, the destitute sick and children. Workhouses are now asylums and infirmaries' (cited in Webb and Webb, 1963b, p. 356). This system was to slowly evolve in the next sixty or seventy years into one where boys and girls were to be educated in schools, while the sick and the elderly were gaining access to better, distinct facilities – hospitals and homes – often outside the sphere of the poor laws.

Concern with less eligibility for groups like the aged was to be an issue just once more, near the end of the century. Unemployment rose after 1870 resulting in a clampdown on benefit claims. A December 1871 circular ordered a more restricted distribution of funds which produced, over the next 20 years, a crusade against out relief led by the Charity Organisation Society. Even the elderly could be offered the house, something that went against the grain of treatment the aged had received for almost 300 years. It was successful, as it involved 'the halving of the Poor Law budget, the halving of the proportions of the elderly who were pensioners, and the halving of the relative value of the pensions that did remain' (Thomson, 1984a, p. 277). However, by the early 1890s, the tide was starting to turn as pressure mounted for a national old age pension. The 1871 policy was finally reversed by a circular in 1900 which ordered 'systematic and adequate Outdoor Relief to all aged persons who were at once destitute and deserving. Such persons "*should not be urged to enter the Workhouse at all*", unless compelled to do so by disease or the lack of home care' (cited in Webb and Webb, 1963b, pp. 353–4). The twentieth century would see better treatment for most individuals,

including the elderly, though the able-bodied, as potential contributors to private profit and as drawers on the public purse, would always be viewed with suspicion.

The major problem to be tackled in the late nineteenth century was not that of a declining agricultural sector but rather the kind of poverty associated with the depressions of industry under a highly developed capitalism. The considerable alterations in the economy that had occurred since 1834 were recognized with the calling of the Royal Commission on the Poor Laws and Relief of Distress in 1905. It published majority and minority reports four years later. 'Over the next three decades the poor law was gradually dismantled' (Digby, 1989, p. 37). Changes were made to pensions, unemployment insurance, health insurance, housing and education. Assistance for the elderly came in a different form after 1908 with the passage of the Old Age Pensions Act, which provided a non-contributory, means-tested pension to those aged 70 years and over. Because benefits were paid through the post office, it meant that retired persons would not have to apply for the more dishonourable 'poor relief'. Many reformers felt it was important to reconstruct social services outside the purview of the poor law because of the stigma attached to the receipt of relief. Little had changed, however, leading Midwinter (1994, p. 76) to refer to pensions as the 'nationalization' of outdoor relief for the elderly. The scheme was 'little more than a transfer from local to central taxation', hence the 'degree of continuity' with poor relief 'should always be recalled', especially since the payments in relation to average manual wages were similar under both systems. This was also the view of George Lansbury, a member of the 1905 Royal Commission, who commented that he 'never could see the difference between outdoor relief and a state pension' (cited in P. Wood, 1991, p. 171).¹

Another significant piece of legislation from this period was the 1911 National Insurance Act. Part 1 of this act made provision for a form of health insurance that cared for labourers (but not their dependents), funded by employees, employers and government. Part 2 was a type of unemployment insurance. It was limited to workers in certain industries and was also funded in a tripartite manner. Prime Minister Lloyd George was adamant that (in the words of Fraser) 'many of these newer developments were actually being provided for by the Poor Law, so that Liberal social policy was not just involved with extending state aid but of providing it on different, socially more acceptable terms', a process begun in the 1880s in the fields of medical treatment, school meals and assistance to the aged. At the beginning of the twentieth century, then,

the functions of the poor law were being 'appropriated by other social institutions' (Fraser, 1973, pp. 162–3). A government planning document published in 1935 did not exaggerate when it asserted that the provision of basic maintenance 'in a rudimentary form... has existed for more than three centuries in the shape of the Poor Law, which with all its cruelties and humiliation was an attempt to see that no one in this country should starve' (cited in Fraser, 1973, p. 224), and that the response to the social problems brought on by the Great Depression was one that was building on and extending previous policies.

Even greater improvements were made after the Beveridge Report was released in December 1942. It sold over half a million copies and served as a further catalyst for the significant changes that were initiated in the post-war era. It attacked the existence of the five 'giants': want, disease, ignorance, squalor and idleness. The report set the stage for family allowances, introduced in 1946, a comprehensive health service and a policy of full employment. It was, no doubt, with great pride that the Labour government passed the National Assistance Act in 1948, a landmark of what is usually referred to as the 'modern welfare state' because of its universalist philosophy and its provision of services that covered 'the whole social security scheme' (Fraser, 1973, p. 214). With the Act declaring that the 'existing poor law shall cease to have effect', Foreign Secretary Ernest Bevin could comment that 'at last we have buried the poor law' (both cited in Digby, 1989, p. 37). 'Poor relief', it would seem, had been transformed into 'public assistance'.

Capitalism and the welfare state

This book has addressed the question: why, for almost 300 years, was England the only country in Europe to have a system of poor relief? My answer is that the development of this assistance was linked to the emergence of agrarian capitalism. Significant changes in the social relations of landed property in sixteenth-century England lay behind the establishment of compulsory taxes in local parishes, with the funds collected being distributed to individuals who could demonstrate sufficient need. Despite some similarities in relief practices between English and European cities for a brief moment at this time, it was their respective *rural* areas that would go off in two different directions and which would make England's treatment of its poor distinct from anything on the Continent.

My argument is predicated on the simple (yet generally ignored) fact that in most of western Europe outside England, capitalist social

relations in agriculture, as well as industry, are a remarkably recent phenomenon. In every country, down to the mid-nineteenth century (or even later), land was socially regulated. In most cases, land was 'distributed among commune members for fixed periods, or rented out with the income used to meet communal costs such as the care of the poor' (Blum, 1971, p. 168). For instance, in Russia in the 1890s, almost all land was held by village communes. The people who were members of the community had access to common rights in addition to an independent holding. The state viewed this arrangement as insurance 'against the creation of a landless proletariat who might rise against the regime' (Blum, 1971, p. 177). Despite a government push towards individual ownership, by 1919 more than 90 per cent of peasant lands in European Russia were held in common. Italy is perhaps a more appropriate example since its social structure was more typical of western Europe. Just after 1900, three-quarters of southern Italians were working in agriculture (about 60 per cent in the country as a whole), with primary industries accounting for half of the GNP. However, at this time, more landless labourers were beginning to appear due to a rapid decline in access to common land and in the old 'moral community, in which landowners had previously provided for workers in terms of medical care, credit, and risk protection' (Whitaker, 1992, p. 83).

There was in Europe, however, one exception to the historical story that played itself out in 'nations' like Scotland, Ireland, France, Germany, Italy and Russia. Creating capitalism in a world where it did not yet exist required the consolidation of land into a few hands; the abolition of the collective management of property; the destruction of common rights (which were, in effect, *peasants' rights*); the commodification of labour-power so that it could be bought and sold on a free market; the development of an imperative that forced producers to compete against each other; and the rise of a unique 'pro-capitalist' state, one that was involved in exploitation, but not as an 'appalling parasitic growth' (Marx, 1978b, p. 606) on the backs of an impoverished peasantry. Instead, it was one which instituted policies and practices that encouraged the production and reproduction of the capital/labour relation. These social transformations occurred in England much earlier and to a much greater degree than they did elsewhere. This is the main reason why elaborate arrangements for relieving the poor have flourished in England for so long.

In contrast, from the early modern era to the nineteenth century, in Ireland, in Scotland and on the Continent, the role of government

in assisting the needy was limited to little more than the coordination of the work of private charities. The types of social welfare that did exist were located, for the most part, in urban areas where a small minority of the population lived. They were rooted in voluntary Christian charity and dispensed relatively negligible amounts of assistance to those in extreme necessity. This philanthropy (usually food) was *ad hoc*, distributed in particular during periods of crisis brought on by hunger and disease. Relief was paltry and it did not contribute much to the well-being of the poor. The types and value of assistance as well as the treatment, classification and 'discrimination' among the needy differed little from one city to the next or from one religion to another (Jütte, 1994, p. 100). The sixteenth century witnessed greater lay involvement in charities, usually with the encouragement of municipal governments, often as the result of an increase in the amount of vagrancy. Members of city elites sometimes took over private organizations, but they usually did not manage them differently. What they did have that was new were certain legal powers, for example, the ability to confine beggars. Typically, 'poor law' initiatives throughout Europe prospered for a few years and then disappeared. Workhouses and houses of correction were built here and there, occasionally paid for with funds generated by taxation. However, states tended to avoid becoming involved in the administration of relief.

Poor relief was instituted only in England because the reason people were 'in need' was different than for the poor elsewhere. The basis of English indigence was the near total lack of 'ownership' of land among a substantial number of individuals. Meanwhile, the source of poverty in other countries was inefficient methods of production, rooted in a system of peasant-based property relations and absolutist states. This socioeconomic form had the general support of ruling classes who wanted to keep people on the land and hence maintain the social arrangement that was the source of their own wealth.

Within non-capitalist societies, peasants and slaves have their physical existence assured, except during extreme times like famine. However, within capitalism, reproduction of the individual depends on the *repeated* completion of a transaction that is far from guaranteed, namely selling one's labour-power. This is why from the sixteenth century onwards the English state-provided funding to people when they were in need. Other nations had only a sprinkling of charities and church collections, because their peasantries were not separated from the means of life. In short, they did not have a true working class, one

that had been largely dispossessed of land and common rights. Individuals in England received money from the public coffers, provided for the most part by the nation's aristocracy, without supplying any work in return. This was the most efficient means of keeping them alive.²

In England, and eventually throughout Europe, the creation of welfare states was a consequence of the fact that land and common rights were relinquished in return for income support during periods of 'short-time' and unemployment. This welfare also assisted people through 'life cycle' changes such as widowhood or old age, these changes now exacerbated by the reality of propertylessness. The *means of production*, which allowed an individual to make a living, were exchanged for the *means of survival*, sums of money so small that they enabled the recipient to be a consumer, but not a self-directed producer. This transfer to 'welfare', typically viewed as one of the key elements of 'progress', was in fact an imposition that peasants and 'half-free' labourers did not want. Writers like E.P. Thompson (1968, 1993) and Christopher Hill (1974) have demonstrated that many people throughout England were opposed to the abolition of their way of life in return for a mere 'mess of pottage'. There was always a realization among those who were being stripped of their land and common rights that they were losing something important, and that the employment they may have found afterwards and the amounts received now and then from the parish vestry did little to make up for this loss. Even worse, welfare would always be tied to various rituals of psychological degradation devised by ruling classes who had to ensure the survival of individuals who were not attached to the labour market, while being certain that all recipients experienced a taste of second-class citizenship.

The appearance of social assistance, then, must be considered as part of a historic trade-off of rights. 'Economic' rights (as opposed to 'goods' like free speech) are the result of a struggle between different classes over the distribution of the social surplus. The poor speak of their right to a common, to relief or to welfare, while the wealthy declare and defend their right to the fruits of private ownership. When groups make conflicting claims like this, the decision as to who gets what is determined by compromise, by force or by some combination of the two. These struggles, which involve opposing classes fighting over their respective titles to property, have been a part of the social landscape since the appearance of stratified societies. From the perspective of the poor, the meaning of their struggle has never been altered by the content of what was at stake, be it an armful of firewood, a few bits of grain, a silver coin

or a government cheque. The resources that each side brought to this conflict, however, changed dramatically with the transition to capitalism. Now, because they are propertyless, those who require welfare must go begging, cap in hand, to state officials as a prerequisite to receiving their basic sustenance. But since the history of welfare as a trade-off of rights has been lost in the thick fog of liberal historiography, which celebrates the death of the 'backward' peasant and the birth of the 'free' wage-labourer, we have ended up forgetting William Cobbett's observation that 'the money, or food, or clothing, proceeding from the poor-rates, is the *poor's property*. It is not alms' (cited in Broadbridge, 1973, p. 11). Relief for the poor is, as John Stuart Mill put it, 'a claim against private property' (cited in Webb and Webb, 1963b, p. 165).

In *The Great Transformation*, Karl Polanyi (1957) made an observation similar to the one being made here. He suggested that every 'market society' had to establish regulations that would offset the destructive effects of competition, otherwise many members of the community could not survive. However, Polanyi saw this new society emerging only after 1834 because he conflated the market with the rise of the Industrial Revolution (and the abolition of the old poor law). In a Workers Educational Association course delivered in 1937–1938, Polanyi wrote (in his lecture notes) that capitalism 'means the use of capital in industrial production and the creation of capital by means of industrial production; therefore also the existence of a class of capitalists whose interests are identified with those of industrial development' (cited in Block, 2003, p. 279).

Polanyi (1957, pp. 40–1) also contrasted the 'market system' with 'agricultural society'. This is problematic, especially given the fact that it was the peculiar needs of the English during the period of the growth and development of the agrarian capitalist market that led them to create what was, for all intents and purposes, a 'welfare state'. Many commentators would take umbrage at my use of this term, insisting on a marked distinction between poor relief and the forms of social assistance provided from the second half of the twentieth century onwards. Stuart Woolf (1986, p. 2), for example, wrote about 'the workings of the welfare state, whose origins can be traced back barely one hundred years and whose philosophy and realities only came to the fore after the Second World War'. Similarly, while noting the 'welfare function' of English poor relief, Miller (1999, p. 17) could still comment that:

What is not at issue is that the welfare state is a phenomenon of the modern, industrial nation. Not before the twentieth century in

most cases, and in no case before the nineteenth century, did the machinery exist, at [a] national or local level, to sustain the taxation and service provision characteristic of the welfare state. It hardly makes sense to speak of 'social policy' in these earlier times – and therefore it hardly makes sense to speak of the 'social problems' to which that policy is often a response.

In contrast, I suggest that poor relief was not something qualitatively different from the welfare state. English poor relief *was* a welfare state. This claim is not an attempt to take something that is peculiar to the 'modern age' and to push it into the farthest recesses of time. For sure, many errors have been made in the process of 'reading back into history'. However, at a time when theory is still heavily influenced by post-modernism, the pendulum has swung too far in the other direction, to the point where it is considered crude to even suggest that there may be a link between our current welfare systems and their origins, their *history*. Martin Daunton (1996, p. 1), for one, has proposed that today's historians have had 'to move from Whiggish accounts based on a linear progression towards a welfare state' with 'their assumption that history was marching to a pre-ordained end'. The revival of classical liberalism in the 1980s and 1990s 'has led to the death of teleological interpretations' and a 'collapse of the old grand narrative'. As a result, Daunton warned against 'viewing the past through the distorting lens of the contemporary welfare state'.

But there is nothing necessarily wrong with trying to make a connection between the past and the present provided that the threads connecting the two can be convincingly demonstrated. I have proposed that there is substantial evidence linking the transition to capitalism to the rise of poor relief, which had to be provided wherever individuals were separated from the earth, their natural means of production, and subsequently driven into a labour market. Indeed, the extent of capitalism within any society can probably be accurately gauged by the growth of its welfare state. Other nations in Europe began to implement a version of English social policy in the late nineteenth and early twentieth centuries, during the same years in which they were instituting a 'free market'. If this link between capitalism and welfare is accurate, then we need to rethink the effects of urbanization, industrialization and democracy on the development of social assistance. If England had a small-scale welfare state by the mid-seventeenth century, then this welfare unfolded in a society that was predominantly rural, mostly agricultural and decidedly undemocratic. Indeed, we have to retrace our

steps if we are to discover the meaning of, and the basis for, 'poor relief'. Large sections of the history of the welfare state need to be written anew.

I would submit as well that the welfare state has been a critically important support to capitalism, not since the Second World War, the Great Depression or Bismarckian Germany, but for more than 400 years, going back to the social conditions that created capitalism. Hence, I would argue against the view that 'welfare states are scarcely a hundred years old' and that they 'tended to emerge in societies in which capitalism and the nation state were both already well established' (Pierson, 1991, p. 103). This infers that welfare *followed* capitalism and was, at some earlier point, not necessary to the functioning of this mode of production, but was added on later as a kind of bonus by liberal politicians and civil servants, or because it was a requirement of an 'industrializing' economy. The implication is that there was a time under capitalism when the state was not actively involved in supporting people who were unable (or incapable) of selling their labour-power. This notion of 'laissez-faire' assumes that the exploitation of a property-less mass can occur where there are no substantial state 'interventions', such as the provision of welfare, minimum wages, and the regulation of work. But this paradigm of social non-assistance, a source of endless fascination for the neoclassical economic mind, has never come to pass at any point in human history. We see this most clearly in the original case of England, where welfare did not develop after capitalism but *alongside* it, and it may have been a key factor in bridging the transition to this new economy, grounded as it was in a radically distinct method of exploitation.

The relationship between capitalism and poor relief that I have drawn out has an important ramification for the study of Western history. My work provides support for Robert Brenner's assertion that the origins of capitalism were agricultural, rural and English, not industrial, urban and 'European'. To put it bluntly: Brenner was right, while the demographers, technological determinists, world systems theorists, Weberians and many Marxists have missed much by insisting that the emergence of capitalism be situated in 'Europe' (or the entire world), a method that avoids examining the specificity of the English experience.

Such theories are problematic. They can do little to help us understand the origins of capitalism, because in order to do so we must focus on the idiosyncrasies of one country. Some writers, perhaps because we now live in an era dominated by capital, find it difficult to accept that

this economic system could begin in such a small geographic area. But it is not so unusual when we consider that, in the early modern period, English society had a number of *structural* features that had evolved over the course of three or four hundred years, features that were unmatched in any other nation. These included a unique class triad of landlord, capitalist-farmer and wage-labourer, operating in a competitive environment; a centralized, truly 'public' state, one that did not treat its peasantry as a 'milch cow', a type of state that was without comparison on the Continent; a legal system, the common law, which eventually abrogated most non-capitalist agrarian rights, enshrining instead the notion of absolute, individual ownership of land; an ideological defence of private property and 'improvement' (productivity) established in the discourse of political economy by the likes of John Locke, Adam Smith, Edmund Burke and T.R. Malthus (McNally, 1988, 1993; Wood, 1984; Wood and Wood, 1997); and an unequalled system of government welfare, in the form of poor relief, for coping with the 'distress' and destitution of proletarian life.

Finally, I would suggest that the chronology of welfare state development in western Europe down to 1900 needs to be rewritten to run roughly as follows: from 1540 to 1760 England – because it was the only country that was developing capitalist social relations under the guise of a highly centralized state – was the only country to have a system of welfare that was comprehensive, national, government-run and supported from taxes placed on the ruling classes. After 1760, mainly as a consequence of parliamentary enclosure, parishes in Wales began to implement poor rates. In the 1830s and 1840s, in Scotland and Ireland, large numbers were being pushed off the land and into wage-paying labour, so legislation was passed creating for them a modified version of the English poor law. Near the end of the century other countries such as France and Germany, still with substantial peasantries, began to slowly develop social assistance as they adopted the capitalist mode of production. Historically, then, the creation of welfare states in western Europe and the development of capitalism have proceeded closely along almost perfectly parallel lines. In the manner that Marx (1967, pp. 669–70) spoke of the expropriation of the peasantry, it could be said that the history of welfare (which is the flipside of this expropriation) 'in different countries, assumes different aspects, and runs through its various phases in different orders of succession, and at different periods. In England alone...has it the classic form.' It was well into the nineteenth century, and occasionally into the twentieth century, before nations on the Continent were more or less compelled by the

competitive nature of the English economy to 'sink or swim', to adopt what had become dominant in England – the capitalist marketplace and its accompanying form of governance.

Poor relief and the transition to agrarian capitalism

Poor relief was an important component of the transition to capitalism, notably in southern England. Yet this is rarely mentioned in scholarly debates; it is perhaps the major gap in the poor law literature (and the transition literature as well). A few writers have focused on the relationship between enclosure and the creation of poor relief, in particular K.D.M. Snell (1985). A handful of others have examined the positive implications of relief on economic development, such as facilitating migration and creating social stability (Flynn, 1990; Solar, 1995). However, these authors, with the exception of Snell, have generally not entertained the larger question of the transition to a specifically capitalist mode of production. This omission of capitalism from most theoretical frameworks is replicated in the large number of case studies on poor relief, where historians have concentrated on the personalities and actions of politicians, bureaucrats and overseers; the particulars of workhouse management; the minute details of the financial ledgers and so on.

Further research is required in order to better clarify the link between capitalism and poor relief. However, demonstrating such a relationship, or the lack thereof, means giving serious consideration to the effects of large-scale social changes in agriculture on the construction and extension of a poor relief system, especially in the sixteenth and seventeenth centuries. For now, let me suggest that assistance to the poor in England must have been important, perhaps even essential, to the transition to capitalism, a major contributor to this unrivalled social metamorphosis. In the new 'labour market', poor relief was used to remove 'undesirables', such as the aged, the disabled and those with few skills or skills that were in great supply. These people, from the perspective of capital, were useless. They were unable to contribute to profit-making or they were simply not required in order to create the largest potential social surplus. It is striking that a profound recasting of class relations, one that left most people bereft of property as well as control over their lives, occurred without inducing a protracted and violent revolution. The answer to this apparent paradox seems to lie with poor relief, which involved a genuine and fairly substantial redistribution of funds from one class to another.

Geoffrey Taylor (1969, p. 88) is not alone in asserting – and I must agree with his general conclusion – that ‘social and political stability, long esteemed as a uniquely British achievement, owed a sizeable debt to the relatively liberal distribution of poor relief’. This is especially so before the Civil War of the 1640s, with the last major disturbance prior to the revolution being Kett’s rebellion in 1549 (which involved almost 30,000 protestors and soldiers, with 3000 killed and 300 executed). In the period when the foundation for poor relief was being constructed, the reign of Elizabeth I (1558–1603), ‘there was no such thing as a purely peasant uprising and virtually no [open] class war’ (Youings, 1984, p. 209).

The poor rate was a tax on the wealthy and the well-off.³ The total amount raised grew over the centuries.⁴ It peaked at an amazing 3.1 per cent of GNP in 1817 (£9.3 million) falling to 2.5 per cent of GNP by 1831 (£8.6 million) (Digby, 1989, p. 9).⁵ It should be mentioned as well that these are national figures. In areas ‘where poor law disbursements were above the national average and where the community did not have an especially high income, the proportion of the total available income being redistributed could well have been above the 5 per cent mark’ (Thomson, 1991, p. 208). Many people were affected by this system, and poor relief, especially to permanent pensioners, was substantial, unlike the trivial amounts of assistance given to the needy in places outside England. David Thomson (1984b, p. 453) calculated that pensions were about two-thirds of the incomes of non-elderly farm labourers in southern England from the 1830s (*after* the new poor law) to the 1870s. They started to drop at this point and went down to 40–45 per cent by the 1980s. He took in-kind benefits and public services into account in his study. Using a similar methodology, Snell and Millar (1987, p. 407) concluded that support for single mothers under the old poor law equalled 78 per cent of average incomes. In a more recent study, Williams (2005c, p. 511) determined that in the Bedfordshire parishes of Campton and Shefford in the 1810s, pensions to the single elderly were 80 per cent of the incomes of single workers.

Data like these have been challenged by E.H. Hunt (1990, p. 423) who criticized Thomson’s use of low-paid farm employees (a small minority of male workers) as the standard against which pensions should be measured in the mid-nineteenth century. Thomson’s results were understandable given that pensions could not be much lower than the incomes of the poorest paid workers. Hunt concluded, in contrast, that pensions were between 27 and 35 per cent of non-elderly adult income in the late 1830s, 31 per cent in 1863 and 41 per cent in 1981. Hunt’s

revisions, however, do not negate Thomson's point that the elderly who needed pensions received them, and that these pensions were valuable and meaningful when compared to the incomes earned by younger members of the working class.

What happens if we go back in time? Susannah Ottaway (1998, pp. 406–7) studied two parishes where, after the 1750s, one-quarter to one-third of those aged 60 years and over depended on parish relief. Focusing just on monetary income, she found that in late eighteenth century Puddletown (Dorset), the elderly were better off on their pensions than male labourers were on their wages. In Terling (Essex), pensioners 'received less than wage earners, but the pensions would have been between 80 and 90 per cent of minimum wages' (and this amount did not include in-kind benefits such as the payment of rent, clothes and medical care).

The findings of Ottaway (and Thomson) are supported by perhaps the most comprehensive survey to date, undertaken by Richard Smith (1996, pp. 37–8). He examined the records of 20 parishes, collecting data on 110,000 pension payments and weekly doles for the years 1660–1740. Recipients and their families accounted for 5 per cent of the population in rural areas and 8 or 9 per cent in urban centres. In this period, roughly 40–45 per cent of people aged 60 years and over received a regular pension, 'paid at a level in the south [of England] equivalent to a labourer's weekly wage'.⁶ In other words, a 'large minority' of the elderly obtained government support at a level that allowed them to meet 'the bulk of their needs'.

Overall, by the early nineteenth century, the poor were receiving a relatively impressive 2 per cent of GNP in the form of relief, a percentage that would have been the equivalent of \$235 billion in the United States in 2004. Yet in the past, as in the present, the funds allotted to individuals in need were paltry when compared to the nation's total output, the equivalent of a few pieces of crust that had fallen off a bountiful table. The poor would get what they needed to live – and not much more. At the same time, this was likely a crucial factor in making it possible for capitalism to emerge in England, while Continental countries stumbled through one subsistence crisis after another. 'Welfare', frequently viewed as being deeply antagonistic to a capitalist labour market, may have been essential to the very formation of that market.

Compare England's remarkable system of poor relief, dating from the 1540s, with Ireland's poor law, passed in 1838, less than a decade before a terrible famine wiped out one million people; or Scotland, which received its poor law in 1845, though it would take until the 1890s before

the law became universal; Germany, which had little or no poor relief well into the nineteenth century, with the first major, and inadequate, forays into social policy by Bismarck in the 1880s; or France, where public spending did not surpass private charity until the second decade of the twentieth century (Weiss, 1983, p. 77), a ratio that held true for England by the 1650s (Slack, 1988, p. 171), *260 years earlier*.

The absence of government-run poor relief in these countries has to do with the absence of capitalist social relations. These nations did not have a landless working class, nor did they have a 'capitalist state' of the type that developed in England from the mid-sixteenth century onwards, one that was consolidated in the first half of the nineteenth century (Saville, 1994). There was much poverty in these other countries, caused by plague, famine, war and inefficient methods of production. Yet people had access to land. They engaged in subsistence farming in a non-market economy, often struggling under the demands of a parasitic state that burdened peasants with taxes and heavy feudal dues. The few who did sell their labour, mostly as a supplement to their agricultural activities and common rights, did so in a customary economy, often receiving a 'traditional' remuneration in the form of food, drink, clothing, housing and small amounts of cash. It was peasant 'ownership' of property that prevented the development of capitalism. This whole socioeconomic system, however, was swept away in the course of the nineteenth century in a series of 'revolutions from above' (Mooers, 1991). Scotland, Ireland and the countries on the Continent adopted England's social policy at the exact same moment that they adopted England's class relations.

Past and present

In the twentieth century, all states in the 'western world' implemented programmes of unemployment insurance, pensions for the aged and disabled, workers' compensation, social assistance, medical care and so on. While beneficial to ordinary people, these provisions do not exist in societies where the ownership of property is pervasive and reasonably equitable, where citizens have a meaningful degree of control over the 'economic' aspect of their lives. It should come as no surprise, then, that in every country, a major phenomenon that has followed closely on the heels of welfare is 'welfare reform'. The most appalling example of this currently unfolding is in the United States where Congress joined forces with President Bill Clinton in realizing his 1992 election pledge to 'end welfare as we know it'. On 22 August 1996, the President signed

a draconian piece of legislation that abolished the individual's right to cash assistance from the federal government, replacing it with a lifetime maximum of five years in which one can receive benefits. Some states have time limits that are even lower than the federal government's. Most people will be ineligible for monetary support after they reach their maximum, regardless of demonstrated needs.

Many commentators have declared that the American legislation is of the kind that will bring us back to a mean-spirited form of capitalism, when welfare apparently did not exist. Frances Fox Piven (1996, p. A17), an important scholar of the welfare state, has articulated a version of this argument. She has suggested that the new poor law of 1834 'eliminated relief for the poor' so that 'survival for the family meant entering prison-like workhouses'. Piven claimed that with the Clinton reforms, 'the United States government is eagerly following the 1834 script' and that Americans 'may have to relive the misery and moral disintegration of England in the 19th century to learn what happens when a society deserts its most vulnerable members'. William Kern (1998, pp. 430–1) maintained that the new poor law went as far as 'eliminating relief to able-bodied persons unless they were inhabitants of workhouses in accordance with the principle of "less eligibility"'. He went on to say that the 1834 legislation 'placed the entire burden of provision for out-of-wedlock children entirely upon the mother by denying them any claim upon parish assistance or upon the father'. In making the link from the new poor law to the Clinton changes, he concluded that 'contemporary welfare reform thus represents a return to the same principles and remedies that guided the reforms of 1834'.

The quest to 'reform' welfare states has been a regular feature of capitalist societies, beginning in England with the important initiatives of the 1500s that created and solidified poor relief. Over the centuries, specifically in England, the tide of both welfare generosity and reaction has ebbed and flowed. The welfare state may be necessary for capitalism to function effectively, but the two have never coexisted in a harmonious relationship for long. This need to remodel social assistance is a task that is on the agenda of virtually every western government. Current reforms, however, are heading into waters that are uncharted and extremely dangerous, especially when a significant capitalist country like the United States can proudly proclaim to have ended welfare 'as we know it'.

'Poor relief', the 'provision for the needy', the 'welfare state' – or whatever we want to call it – has often been deemed by the owners of capitalist property, at least since late sixteenth-century England,

to be in a 'crisis'. A fairly constant 'state of emergency' has been declared ever since, part of the never-ending instability of capitalism, a feature of socioeconomic life that forces rulers in all capitalist societies to deal incessantly with the question of what is to be done with the unemployed and those on social assistance. In fact, the 'crisis of the welfare state' is invariably a consequence of the crises of *capitalism*. Competition and the constant restructuring of the capital/labour relation are at the core of this system. The result is that any agreement between classes on the 'rules of the game' must always be fleeting, subject to dissolution on short notice. Yet, when the 'market economy' does run into difficulties, it is rarely capitalism itself that is viewed as inherently volatile. More often than not the blame for this supposedly unusual 'disequilibrium' is placed on the shoulders of the least powerful members of society. A recent example of this is 'workfare', back in fashion once again, having been declared 'innovative' by 'modernizing' politicians. It is disconcerting to recall that the original Bridewell was operating in London in the 1550s. Today, four and a half centuries later, despite an unbroken string of failures with this kind of endeavour, governments are still trying to force the poor to earn wages in the same labour market that had effectively expelled them, prior to workfare.⁷

In one sense, what is happening in America today has much in common with what went on before. However, in contrast to, say, England's new poor law, abolishing most assistance to those with the greatest levels of privation is what the American proposals will do. Many analysts do not seem to recognize the uniqueness of the Clinton legislation and how it has the potential to be harmful in the extreme. Destitute people in the United States will not receive 'out relief'. They will not even have the option of entering a workhouse. They will simply be hungry and homeless. It is crucial to understand that the reforms undertaken in the United States, especially those pertaining to time limits on income maintenance, have *no* historical counterpart. They are an unprecedented attempt to break the link between capitalism and welfare. It is a mistake to see these changes in a sequence of first, laissez-faire; then the welfare state era; then back to laissez-faire again, as if there was some golden age of capitalism that did not include the 'millstone' of social assistance, and that the August 1996 changes are somehow going to restore this blissful Garden of Eden. The dearest hope of neoliberals, their idea that state support for poor people can be dismantled, is based on a fundamental misreading of the history of capitalism and the origins of the welfare state.

The policies currently being implemented in America are unique, and so is the attempt to abolish the rights that allow individuals to claim benefits. I suspect that the response of the poor to this situation will also be novel, adding a distinct chapter to the annals of class conflict. It will be the first instance of T.R. Malthus' crudest recommendations having come to fruition, and only time will tell us what kind of initiatives are embarked upon by people who have been denied access to the basic necessities of food, clothing and shelter, while residing in a nation of enormous wealth and abundance. The Clinton reforms will push millions of Americans to the brink, leaving them with severely diminished physical and mental health. They will have to subsist on a combination of gifts from friends and relatives, temporary work for small amounts of cash, charity, theft, prostitution, drug-dealing and other illegal activities. A few may be entitled to vouchers for food or housing, though access to even this assistance is being tightly restricted. If remedial legislation is not put in place to revoke the harsher aspects of these reforms, the suffering inflicted on the needy will be significant. For America's 'underclass', it is as if, in some ways, they have been transported back to ancien regime France.⁸ The key difference is that desperate Americans do not have access to property. They will have to scramble for their subsistence in the first capitalist country to jettison the central core of state support for its poorest citizens.

It is difficult to discern why in the late twentieth century the poor became the object of so much animosity, especially in the United States. This is a complicated question, the answer to which would require an analysis of labour markets, free trade, race relations, government debt and so on, as well as deeper, structural faults. Perhaps capitalism, in an era of advanced technology, can no longer provide anything close to full employment (if it ever could). What if, in some nations, combined rates of unemployment and welfare in the 15–20 per cent range are now a permanent fact of life? What happens when the social contract no longer involves 95 per cent of the population supporting the other 5 per cent, but three-quarters supporting one-quarter – or worse?

We cannot predict the future relationship between welfare and capitalism, but if the past is any indication, capital can be expected to continue its time-honoured offensive against social rights. And we can also assume as a given that those subjected to this assault will fight to maintain and improve their communities. We should anticipate nothing less given the history in England of the struggle for rights and privileges. This is a centuries-old conflict that has played itself out on a variety of battlegrounds, including common fields, enclosures, markets, prices,

work conditions, wage rates – and relief for the poor. The welfare state that arose from this original encounter between capital and labour needs to be defended. It also needs to be superseded. But that can occur only if future resistances to capitalism result in the creation of polities that are democratic and post-exploitative, ones that have at their heart the recognition of substantial ‘economic rights’. Now if *this* were to happen, we could truly say that we had ‘buried the poor law’.

Notes

Chapter 1: Introduction

1. Sources for the quotations are: Einstein, cited in Carr (1987, p. 164), Thompson (1978, p. 36) and Marx (1978a, p. 64). For all quotations, words in italics have been emphasized in the original, unless otherwise noted.
2. One might make an argument that England in the early modern era cannot be studied as a nation, because of differences in natural landscapes and soils; farming regions (arable, pastoral and mixed); tenure, field systems and common rights; the levels of industrialization; and so on. One could also suggest that England did not have a single welfare system because, in the south and east, a larger percentage of people received relief and the per capita rates of relief were higher than those in the north and west (King, 2000).

Acceptance of this argument would have made this book an impossibility so, needless to say, it is an argument I reject. Chapter 3 will establish that England was, from the late medieval era onwards, politically, economically and legally uniform, a 'united kingdom'. To focus solely on distinctions within the country while foregoing any attempt to see the bigger picture is to overlook much. However, there is no need to abandon 'macro' analyses, especially given that the consequences of the differences noted above are often immaterial. They were not responsible for creating substantial social heterogeneity. Furthermore, the (apparent) differences themselves are often overstated. For example, Joan Thirsk (1987, p. 25) has observed that there were numerous types of farming undertaken within any 'region'. A map that tried to distinguish farming regions would quickly end up looking like a puzzle with about a hundred tiny pieces, of nearly a dozen different colours, inter-mixed almost at random. In addition, while there were disparities in early modern England in the rates of poor relief between north and south, similar divisions exist to this day, notably in the United States, yet we would never deny that it has some semblance of a 'national' welfare state, especially vis-à-vis the overarching legal framework. The same was true of England in terms of settlement laws, judicial decisions with respect to removing individuals from one parish to another, dozens of acts of Parliament (in particular the acts of 1597–1598 and 1601) and so forth. Even the variations in amounts given to the poor in England can be best explained, I suggest, by the depth of presence of capitalist social relations, deep first in the south then later in the north. In the south and east, it was not the case, as King (2000, p. 268) maintained, that more generous practices had 'created a raft of "welfare junkies" whose first response when faced with life-cycle stress was to turn to the poor law', whereas in the north and west there was 'a culture of self-reliance and making do' which saw poor relief as a 'last resort'. I hope this book will contribute, among other things, to greater scepticism of such 'explanations'.

3. I would like to make clear that this book is not the work of an archival historian; hence, I trust it will not be criticized on the grounds that it is 'almost entirely dependent on secondary literature'. That would be to miss the point. My ambition is not to add to the large number of case studies on English poor relief, but rather to make a contribution to sociological theory, in particular by reassessing our understanding of 'welfare'.
4. Ian Gough (1979, pp. 44–5) has provided a similar definition, whereby the welfare state is '*the use of state power to modify the reproduction of labour power and to maintain the non-working population in capitalist societies*'.
5. An argument can be made that current welfare states like those in Sweden, Japan, Great Britain, the United States, Canada and so on, are 'different' in terms of the range of activities they undertake, the quality of benefits provided, the groups that are targeted for assistance and the amount of wealth that is redistributed. However, I believe one could easily maintain, in contrast to the uniqueness of the English case in the early modern era, that what stands out in early twenty-first century advanced capitalism is not the differences between these welfare states but their striking similarities, a product of capitalism's increasing globalization and its virtual law-like imposition of homogeneity on most aspects of social life, welfare included.

Chapter 2: Capitalist and precapitalist societies

1. A modified version of this article has been reprinted as Chapter 1 of Wood (1995).
2. Saunders (1995, pp. 18–27) went on to note some of the unique features of England, though exploitation (surplus appropriation) played no part in this story.
3. See also Holton (1986, pp. 61–2) who concluded that 'the notion "town air makes free" is for the most part an over-inflated piece of historical mythology of relatively minor significance in the explanation of capitalist development'.
4. Their contributions, and others, are collected in Hilton (1978).
5. See also E. Wood (1994, 2002a, 2002b) for a discussion of market forces as an imperative as opposed to an opportunity.

Chapter 3: The development of capitalism in England, c. 1300–1860

1. Taxes would have been paid, in general, by the upper landed classes but this was wealth that had been created, for the most part, by those who worked the soil.
2. For details on what differentiated freehold from more servile forms of tenure, see Comninel (2000, pp. 22–31). This article also pointed to the unique structure of manorial lordship, as opposed to the *seigneurie banale* in France, as a critical factor in the development of capitalism in England.
3. Common law courts finally recognized the standing of customary tenants after about 1550 and especially after 1570. For a long time, these courts saw the resolution of disputes between lords and copyholders as the role of manorial

justice. It is not clear why protection for copyholders was finally bestowed by the common law courts (Gray, 1963).

4. This is not to suggest that state officials had a thorough understanding of the transformation that was occurring, or that they discussed it in terms of an emerging 'capitalist' economy (for example, when framing acts of Parliament). Legislation did not see the poor as the victims of capitalism *per se*. Nevertheless, prominent writers in sixteenth-century England did grapple with the alterations that were unfolding in their socioeconomic environment, so reformers like Sir Thomas More and Sir Thomas Smith 'might be called the pioneer observers, if unwitting ones, not only of the forging of a modern state but also of the social results of early capitalist enterprise' (N. Wood, 1994, p. 3). See also Wood and Wood (1997).
5. The difference between Brenner and Lazonick probably rests on Brenner's assertion that competitive market pressures were felt by tenants before, and as a prerequisite to, mass proletarianization.
6. King (1989) notes that after 1788 a claim to gleaning could still be made under local, customary law. It was not the law so much as technology that eliminated the practice. After 1850 or so, especially as the result of reaping machines, there was hardly any wheat left on the ground to be gleaned.

Chapter 4: English poor relief, c. 1350–1795

1. E.M. Leonard (1965, p. 294) made a similar observation when she concluded that the difference between England and places like France and Scotland 'was mainly caused by the coexistence in England of a Privy Council active in matters concerning the poor and of a powerful body of county and municipal officers who were willing to obey the Privy Council'.
2. In the early nineteenth century, of the 15,535 parishes in England and Wales, 737 had fewer than 50 residents, 1907 had 50–100 residents, 6681 had 100–300 residents, 5353 had 300–800 residents, while 1521 parishes had a population of more than 800 (King, 2000, p. 7).
3. Cited in Slack (1990, p. 12), who was quoting a monastic visitation injunction of 1535–1536.
4. For two excellent, detailed surveys of poor relief, with copious extracts from the overseers' accounts, see Ashby (1912) and Emmison (1933).
5. It should be mentioned as well that poor relief could be very important in the life of an individual over an extended period. For a complete list of payments to one woman (a widow, Ann Foster) over 25 years (1669–1693), see Smith (1998, pp. 80–1).
6. The Privy Council distributed a Book of Orders in 1586–1587, 1594, 1595, 1608, 1622 and 1630.
7. It is difficult to ascertain whether or not houses of correction were an indication of a much more punitive attitude towards the poor. They probably were a reflection of a harsher view in their years of origin in the late sixteenth and early seventeenth centuries. The idea that a poor person could be virtually imprisoned must have struck many as 'cruel and unusual'. However, I am inclined to agree with David Thomson's (1991, p. 213) assertion that in the long run

we need to see persisting across several centuries a substantial core of belief and practice, with movement around that core taking the form of fairly regular cyclical oscillations, rather than of marked shifts in new directions. The sensitive historian of social welfare must be struck by the repetitive circularity of welfare debates and practices. In a great many instances welfare commentators in one period have resorted, quite unconsciously, to the precise words and phrases, as well as the general modes of thought, of a much earlier time.

8. Some agreements resulted in better treatment of the poor, especially those that provided a per capita payment to the contractor for each person cared for, as opposed to a flat sum.
9. Wales was particularly late with assistance to the poor, despite the fact that it was always closely integrated with England and was finally annexed in the 1530s. In the seventeenth century, poor rates existed in just a single Welsh county. Few parishes had one before the 1760s, when about 25 per cent of land was still held in common (Jones, 1994, p. 8). Rates appeared slowly at first, but increasingly so after the 1790s, mainly because of parliamentary enclosures undertaken during the Napoleonic Wars (Dodd, 1926, p. 119). The lack of research on the poor law in Wales is highlighted in King and Stewart (2001).
10. This fits fairly well with our own experience of the stability of the welfare state in the period from the 1950s to the 2000s, despite the changes to capitalism in these years, especially in an increasingly globalized economy, and notwithstanding the determination of neoliberals to roll back social assistance. Even in Great Britain and the United States, public spending on health, welfare and education as a percentage of gross national product has moved down only slightly if at all, demonstrating great resilience even in the face of overt ideological attacks.

Chapter 5: Speenhamland, settlement and the new poor law

1. For a table that neatly summarizes the different forms of relief available in many English parishes between 1795 and 1834, see Block and Somers (2003, p. 294).
2. When the gallon loaf was 1s., the Berkshire bread scale brought weekly wages up to the following amounts: for a man, 3s. 0d.; a woman, 2s. 0d.; a man and wife, 4s. 6d.; a man, wife and one child, 6s. 0d. and so on. The wage rates were higher when the gallon loaf was 1s. 1d., 1s. 2d. and so on, up to 2s. (Huzel, 1989, p. 775).
3. Permanent relief counted the total number of persons relieved throughout the year. Because these people tended to receive assistance all year long, this figure is roughly equivalent to the number of *individuals* relieved. Occasional relief also counted the total number of persons relieved throughout the year, but because of repeat users, this number cannot be equated with the number of individuals. Williams (1981, p. 152) noted that the total relieved under the 'occasional' category 'could be two or three times as large' as the number of individuals. The all-around figures should

be fairly accurate, then, since those on permanent relief formed 71 per cent of the grand total. If we assume that there was no double counting in the permanent numbers and triple counting for occasional recipients (hence about 100,000 individuals relieved), then about 9 per cent of the population of England and Wales would have received a pension or a supplement at some point during the year 1802–1803 (roughly 840,000 people). Conversely, 91 per cent would have received nothing from the poor relief coffers.

Indoor relief was given in a workhouse; outdoor relief was generally cash given to those who lived in their own homes.

The non-able-bodied were defined by the 1802–1803 return as those ‘above sixty years of age or disabled from labour by permanent illness or other infirmity’ (cited in Williams, 1981, p. 153).

4. It is interesting that as late as 1832 one of England’s most prominent economists could refer to the tie between employers and employees as a *political* relation.
5. However, relief to able-bodied males in urban areas, in the form of money (given in 68 per cent of parishes) or work (60 per cent) was still quite significant by 1832. In the same year, child allowances were distributed in just over half of all parishes (Williams, 1981, pp. 49, 151).
6. See Song (1998, pp. 384–5) for definitions of key terms, including settlement, examination, certificate, chargeable, removal order and appeal against removal order.
7. This declined in the last half of the nineteenth century, though as late as 1907, 12,000 persons were removed from one union to another in England and Wales (Webb and Webb, 1963b, p. 434). The practice of removal ended in 1948.
8. Reimbursements for non-residents were given as early as 1619 (Hampson, 1928, p. 287).
9. Snell (1991, p. 415) has observed that settlement laws did not exist on the Continent. In England, these regulations were tied to the unique system of poor relief, ‘the two going together’.
10. Unless otherwise indicated, quotations in this section are from Checkland and Checkland (1974).
11. Part 2 of Thomas Paine’s *Rights of Man* (1969) was crucial in legitimizing this discourse of rights.
12. My calculations, based on data in Williams (1981, pp. 179–216).
13. Williams (1981, pp. 72–5) concluded as well that there were few able-bodied men in the workhouses and that most people relieved under the ‘sickness’ provisions were in fact ill (that is, they were not able-bodied), because the numbers in this category did not fluctuate greatly with the change of seasons or the business cycle.
14. Only 5 per cent of these emigrants were subsidized from parish rates. About half of them received some assistance from the colonies; almost none were funded from the British treasury. Haines (1997) has demonstrated that emigrants were not the poorest of the poor, nor were they criminals. There was a rigorous selection process, with great input from the Australian colonial governments. Those accepted for passage tended

to be young, physically fit, with tradesman or husbandry skills, and some money.

15. From our vantage point in the opening half of the twenty-first century, we can see that even the distribution of income or wealth tends to be fairly constant over decades, as it has been in most advanced capitalist countries since the Second World War. David Thomson (1991, p. 209) has reminded us that

in the post-1945 period a growing portion of this [state] activity has no longer constituted redistributive income maintenance or 'welfare' as it was formerly understood and measured, since much of it now involves payments to people who are not poor but who receive allowances simply on account of age or family circumstances. If we could separate out the 'true' welfare portion from the 'wealthy-to-wealthy' element – and it is by no means clear how this might readily be done – then it seems unlikely that the relative level of redistribution now taking place in the form of income maintenance payments to the poor has yet surpassed the levels common in many [English] communities a couple of centuries ago.

Chapter 6: Agrarian class relations and poor relief outside England

1. In England a 1697 act allowed parishes to force those on relief (and, in applicable cases, their wives and children) to wear a badge (a letter 'P'). Hindle (2004, pp. 437, 443) argues that this practice was implemented in a number of places, though he acknowledges that concrete evidence from parishes where this occurred is 'dispersed and sporadic'. The policy 'was most rigorously enforced when ratepayers felt particularly overburdened'. Though the jury is still out, I suspect that badging was not common in England. The main purpose of badging would have been to humiliate recipients. Yet given that most parishes were small, there is little doubt that nearly everyone would have known who was receiving public support; hence, there was no reason to single these individuals out. In other nations, the badge had a specific role to play that it did not have in England: it was a license to beg.
2. For instance, in 1840 one Session printed cardboard badges that read: 'Permit ___ to beg through the parish of Grange. J.M. Innes, Heritor' (cited in McPherson, 1941, p. 207).
3. Ireland's last famine occurred in County Kerry in the early 1890s (O'Neill, 1974, p. 7).
4. All transactions necessitated the payment of a fee to the seigneur as well as receipt of his consent to changes of ownership.

Chapter 7: Conclusion

1. The quotation is from Lansbury's autobiography, published in 1931. Lansbury had been Chair of the Poplar Poor Law Union. Margaret Jones (1997, p. 83) has also concluded that in the operation of the pensions, 'the similarities to the Poor Law become obvious'.

2. One of the most fascinating aspects of early poor relief in England was the almost universal use of cash instead of in-kind goods. This surely must have been a controversial matter (witness the continued use of 'food stamps' in the United States, given on the pretext that the poor are apt to waste their money on alcohol and cigarettes), yet there is not, to my knowledge, a single article in the literature that explores this issue. The use of cash, I assume, is related to the growing prevalence of a capitalist market.
3. For instance, the industrializing parish of Aberdare, Wales, had 3400 inhabitants in the late 1820s but only 150 ratepayers, mostly small farmers. Those who had just enough property to be rateable and who had typical earnings could have paid as much as 15 per cent of their income on the rates (Davies, 1977, pp. 292–3). By the 1830s, in many communities, the rates had worked their way further down the property scale, with many poor people having to request, and receive, exemptions (Digby, 1978, pp. 86–8). The level of rates seems to have varied substantially. Hindle (2004, p. 285) has noted that in five parishes in Kineton hundred in 1639, the poor rate, placed on the value of property, was low in three cases (0.5, 1.0 and 3.8 per cent) but very high in two others (12.5 and 20.0 per cent). The issue of rates and benefits, who paid and who received, and how this changed over time, is a neglected area of poor law research (though see Hindle, 2004, pp. 365–78).
4. The amounts raised by poor rates were used not only for direct disbursements to the poor. For instance, in 1820 poor rates raised £8.7 million. Of this, £7.3 million (84 per cent) went to relief, £0.7 million (8 per cent) to purposes partly connected with relief, including legal costs, and £0.7 million (8 per cent) for policing. In the 1840s and 1850s, roughly three-quarters of the poor rate was earmarked for relief. In the ensuing decades, the 'poor rate' evolved into a general local tax so that by 1900, only 44 per cent of the rate was being used directly for relief purposes. The majority was accounted for by items such as the police, vaccinations, highways, school boards, rural sanitation authorities and medical assistance (Williams, 1981, pp. 174, 178).
5. The amounts raised by poor rates in Great Britain in 1817 were equal to 3.1 per cent of gross national product (GNP). To put this in context, the GNP of the United States was \$11.7 trillion in 2004; 3.1 per cent of this is \$363 billion. In the same period (figures from 2002–2004), the US government spent roughly the following on major programmes aimed specifically at the poor: the Earned Income Tax Credit, \$39 billion; food assistance, including food stamps and school lunch and breakfast programmes, \$38 billion; Supplemental Security Income (to help people with disabilities), \$34 billion; housing assistance, \$17 billion; Head Start (a preschool readiness programme), \$7 billion; and low-income energy assistance, \$2 billion. Total federal and state expenditures on Temporary Assistance for Needy Families (formerly Aid to Families with Dependent Children or 'welfare') were \$25 billion. These amounts total \$162 billion.

There is also a means-tested Medicaid programme which costs \$176 billion. However, 'the bulk of Medicaid benefits [almost two-thirds] now go to people who are "poor" only in a particular sense', namely the elderly and the disabled who have been brought to the point of near-bankruptcy by medical expenditures. Medicaid 'has evolved into a largely middle-class program' (Page and Simmons, 2000, p. 272). If we take one-third of Medicaid expenditures (\$59 billion) and add these to the \$162 billion noted above, we get \$221 billion, or

1.9 per cent of GNP aimed directly at the poorest Americans. The indigent do benefit from other programmes, but on the whole it is safe to say that the poor in the United States at the turn of the twenty-first century do not receive much more – if any – of their nation's wealth from the government than the poor in England did at the turn of the nineteenth century.

6. The relative worth of pensions grew in size in the first half of the eighteenth century but declined in the second half. Overall, we might be tempted, as King (2000, p. 215) is, to conclude that the 'poor law relieved relatively few people at relatively ungenerous levels'. However this assertion could be applied to 'welfare' in virtually every major capitalist country today. To give the example of the elderly in Canada in 2003, poor single men aged 65 and over had average incomes of \$14,820 (most of these pensioners were funded almost totally by the government). This amount was 41 per cent of the incomes for non-poor single men aged 65 and over (\$36,480) and 31 per cent of the incomes of non-poor single men under age 65 (\$47,620). In summarizing the data for various family types, the National Council of Welfare (2006, p. 80) concluded that 'in all cases, the average incomes of the poor were worlds away from the average incomes of the non-poor'.

To give another example, in 2004 in Alberta, Canada's richest province, annual welfare benefits (including the federal government's Goods and Services Tax Credit) for a single employable person (under age 65) were \$5040. This amount was 25 per cent of the poverty line for a single employable person (\$20,340) and only 17 per cent of the average incomes of single employables (\$29,450) (National Council of Welfare, 2005, pp. 30, 33). Those on welfare can also be compared to those earning the minimum wage which was \$7 per hour in Alberta in September 2005. Someone working 40 hours per week, 52 weeks per year, would have earned \$14,560. Welfare (at \$5040) paid 33 per cent of the minimum wage. And with welfare rates falling dramatically, the disparity has only increased over time. In constant dollars, the basic welfare benefit for a single employable person in Alberta was \$9670 in 1986. It was \$4820 in 2004, a whopping 50 per cent reduction in the standard of living for these individuals in less than 20 years (National Council of Welfare, 2005, p. 46). Given these 'modern' amounts for pensions and welfare, we should be careful how we assess the apparent lack of generosity of our ancestors.

7. The dismal record of workhouses and the dismal record of their descendant 'workfare' are what David Thomson (1986, p. 357) could have been referring to when he observed that 'our historical ignorance means that we often fail to appreciate that the options facing us now are very similar to those considered, tried and discarded by previous generations'.
8. As a sign of the ancien regime-styled treatment of the poor in America, the *New York Times* (Verhovek, 2001, p. A11) reported on a case where

Oregon officials recalled a tip sheet for state welfare recipients that recommended rooting through trash hauling bins as a good way to save money. The recommendations were produced by a private company that had been hired by the state to train welfare recipients.... The tips included shopping at thrift stores, clipping coupons and this idea: 'Check the dump and residential/business Dumpsters.' Several welfare recipients described the Dumpster tip as demeaning.

References

- Alber, Jens. 1988. Continuities and Changes in the Idea of the Welfare State. *Politics and Society* 16: 451–68.
- Albritton, Robert. 1993. Did Agrarian Capitalism Exist? *Journal of Peasant Studies* 20: 419–41.
- Alcock, Thomas. 1752. *Observations on the Defects of the Poor Laws, and on the Causes and Consequences of the Great Increase and Burden of the Poor*. London: R. Baldwin, Jr.
- Allen, Carleton Kemp. 1964. *Law in the Making*. 7th ed. Oxford: Clarendon.
- Allen, Robert C. 1992. *Enclosure and the Yeoman: The Agricultural Development of the South Midlands 1450–1850*. Oxford: Clarendon.
- Anderson, Perry. 1974. *Lineages of the Absolutist State*. London: Verso.
- Annuaire statistique de la France* 1966: *Résumé rétrospectif*. 1966. Soixante-douzième Volume, Nouvelle Série No. 14. Paris: Ministère de L'économie et des Finances.
- Apfel, William and Peter Dunkley. 1985. English Rural Society and the New Poor Law: Bedfordshire, 1834–47. *Social History* 10: 37–68.
- Archer, Ian W. 1991. *The Pursuit of Stability: Social Relations in Elizabethan London*. Cambridge: Cambridge University Press.
- Armstrong, W.A. 1989. Labour I: Rural Population Growth, Systems of Employment, and Incomes. In G.E. Mingay, ed. *The Agrarian History of England and Wales, Vol. 6, 1750–1850*. Cambridge: Cambridge University Press, pp. 641–728.
- Ashby, A.W. 1912. One Hundred Years of Poor Law Administration in a Warwickshire Village. *Oxford Studies in Social and Legal History* 3 (6): 1–190.
- Ashley, William. 1966 [1893]. *An Introduction to English Economic History and Theory*. Part 2. New York: Augustus M. Kelley.
- Ault, Warren O. 1965. Open-field Husbandry and the Village Community: A Study of Agrarian By-laws in Medieval England. *Transactions of the American Philosophical Society* 55 (7): 5–102.
- Aylmer, G.E. 1990. The Peculiarities of the English State. *Journal of Historical Sociology* 3: 91–108.
- Baugh, D.A. 1975. The Cost of Poor Relief in South-east England, 1790–1834. *Economic History Review* 28: 50–68.
- Beck, Hermann. 1995. *The Origins of the Authoritarian Welfare State in Prussia: Conservatives, Bureaucracy, and the Social Question, 1815–70*. Ann Arbor: University of Michigan Press.
- Beckett, J.V. 1983. The Debate over Farm Sizes in Eighteenth and Nineteenth Century England. *Agricultural History* 57: 308–25.
- Beckett, J.V. 1990. *The Agricultural Revolution*. Oxford: Basil Blackwell.
- Behrens, C.B.A. 1985. *Society, Government and the Enlightenment: The Experiences of Eighteenth-Century France and Prussia*. London: Thames and Hudson.
- Beier, A.L. 1966. Poor Relief in Warwickshire 1630–1660. *Past and Present* 35: 77–100.
- Beier, A.L. 1981. The Social Problems of an Elizabethan Country Town: Warwick, 1580–90. In Peter Clark, ed. *Country Towns in Pre-industrial England*. Leicester: Leicester University Press, pp. 45–85.

- Beier, A.L. 1985. *Masterless Men: The Vagrancy Problem in England 1560–1640*. London: Methuen.
- Beier, A.L. 1989. Poverty and Progress in Early Modern England. In A.L. Beier, David Cannadine and James M. Rosenheim, eds. *The First Modern Society: Essays in English History in Honour of Lawrence Stone*. Cambridge: Cambridge University Press, pp. 201–39.
- Berg, Maxine and Pat Hudson. 1992. Rehabilitating the Industrial Revolution. *Economic History Review* 45: 24–50.
- Berger, Patrice. 1978. Rural Charity in Late Seventeenth Century France: The Pontchartrain Case. *French Historical Studies* 10: 393–415.
- Berman, Harold J. 1983. *Law and Revolution: The Formation of the Western Legal Tradition*. Cambridge, MA: Harvard University Press.
- Birrell, Jean. 1987. Common Rights in the Medieval Forest: Disputes and Conflicts in the Thirteenth Century. *Past and Present* 117: 22–49.
- Black, R.D. Collison. 1960. *Economic Thought and the Irish Question 1817–1870*. Cambridge: Cambridge University Press.
- Blaug, Mark. 1963. The Myth of the Old Poor Law and the Making of the New. *Journal of Economic History* 23: 151–84.
- Blaug, Mark. 1964. The Poor Law Report Reexamined. *Journal of Economic History* 24: 229–45.
- Blaut, J.M. 1976. Where Was Capitalism Born? *Antipode* 8 (2): 1–11.
- Blaut, J.M. 1989. Colonialism and the Rise of Capitalism. *Science and Society* 53: 260–96.
- Bloch, Marc. 1970 [1931]. *French Rural History: An Essay on its Basic Characteristics*. Los Angeles: University of California Press.
- Block, Fred. 2003. Karl Polanyi and the Writing of *The Great Transformation*. *Theory and Society* 32: 275–306.
- Block, Fred and Margaret Somers. 2003. In the Shadow of Speenhamland: Social Policy and the Old Poor Law. *Politics and Society* 31: 283–323.
- Blum, Jerome. 1971. The European Village as Community: Origins and Functions. *Agricultural History* 45: 157–78.
- Bonfield, Lloyd. 1989. The Nature of Customary Law in the Manor Courts of Medieval England. *Comparative Studies in Society and History* 31: 514–34.
- Boot, H.M. 1990. Unemployment and Poor Law Relief in Manchester, 1845–50. *Social History* 15: 217–28.
- Borchardt, Knut. 1972. *The Industrial Revolution in Germany 1700–1914*. London: Fontana.
- Bottomore, Tom. 1993. Capitalism. In William Outhwaite and Tom Bottomore, eds. *The Blackwell Dictionary of Twentieth-Century Social Thought*. Oxford: Blackwell, pp. 60–2.
- Boulton, Jeremy. 1997. Going on the Parish: The Parish Pension and its Meaning in the London Suburbs, 1640–1724. In Tim Hitchcock, Peter King and Pamela Sharpe, eds. *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640–1840*. New York: St. Martin's Press, pp. 19–46.
- Boyer, George R. 1990. *An Economic History of the English Poor Law, 1750–1850*. Cambridge: Cambridge University Press.
- Boyer, George R. 1997. Poor Relief, Informal Assistance, and Short Time During the Lancashire Cotton Famine. *Explorations in Economic History* 34: 56–76.
- Boyson, Rhodes. 1962. The New Poor Law in North-east Lancashire, 1834–71. *Transactions of the Lancashire and Cheshire Antiquarian Society* 70: 35–56.

- Brakensiek, Stefan. 1994. Agrarian Individualism in North-western Germany, 1770–1870. *German History* 12: 137–79.
- Braudel, Fernand. 1992 [1979]. *Civilization and Capitalism, 15th–18th Century, Vol. 2: The Wheels of Commerce*. Los Angeles: University of California Press.
- Brenner, Robert. 1977. The Origins of Capitalist Development: A Critique of Neo-Smithian Marxism. *New Left Review* 104: 25–92.
- Brenner, Robert. 1978. Dobb on the Transition from Feudalism to Capitalism. *Cambridge Journal of Economics* 2: 121–40.
- Brenner, Robert. 1985a [1976]. Agrarian Class Structure and Economic Development in Pre-industrial Europe. In T.H. Aston and C.H.E. Philpin, eds. *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-industrial Europe*. Cambridge: Cambridge University Press, pp. 10–63.
- Brenner, Robert. 1985b [1982]. The Agrarian Roots of European Capitalism. In T.H. Aston and C.H.E. Philpin, eds. *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-industrial Europe*. Cambridge: Cambridge University Press, pp. 213–327.
- Brenner, Robert. 1985c. Marx's First Model of the Transition to Capitalism. In Bernard Chavance, ed. *Marx en Perspective*. Paris: École des Hautes Études en Sciences Sociales, pp. 203–30.
- Brenner, Robert. 1986. The Social Basis of Economic Development. In John Roemer, ed. *Analytical Marxism*. Cambridge: Cambridge University Press, pp. 23–53.
- Brenner, Robert. 1989a. Bourgeois Revolution and Transition to Capitalism. In A.L. Beier, David Cannadine and James M. Rosenheim, eds. *The First Modern Society: Essays in English History in Honour of Lawrence Stone*. Cambridge: Cambridge University Press, pp. 271–304.
- Brenner, Robert. 1989b. Economic Backwardness in Eastern Europe in Light of Developments in the West. In Daniel Chirot, ed. *The Origins of Backwardness in Eastern Europe: Economics and Politics from the Middle Ages Until the Early Twentieth Century*. Los Angeles: University of California Press, pp. 15–52.
- Brenner, Robert. 1990 [1987]. Feudalism. In John Eatwell, Murray Milgate and Peter Newman, eds. *The New Palgrave: Marxian Economics*. New York: W.W. Norton, pp. 170–85.
- Brenner, Robert. 1993. Postscript. In *Merchants and Revolution: Commercial Change, Political Conflict, and London's Overseas Traders, 1550–1653*. Princeton: Princeton University Press, pp. 638–716.
- Brenner, Robert. 1996. The Rises and Declines of Serfdom in Medieval and Early Modern Europe. In M.L. Bush, ed. *Serfdom and Slavery: Studies in Legal Bondage*. London: Addison Wesley Longman, pp. 247–76.
- Brenner, Robert. 1997. Property Relations and the Growth of Agricultural Productivity in Late Medieval and Early Modern Europe. In Amit Bhaduri and Rune Skarstein, eds. *Economic Development and Agricultural Productivity*. Cheltenham: Edward Elgar, pp. 9–41.
- Brewer, John. 1989. *The Sinews of Power: War, Money and the English State, 1688–1783*. London: Unwin Hyman.
- Briggs, Asa. 1993. Welfare State. In William Outhwaite and Tom Bottomore, eds. *The Blackwell Dictionary of Twentieth-Century Social Thought*. Oxford: Blackwell, pp. 707–9.
- Broad, John. 2000. Housing the Rural Poor in Southern England, 1650–1850. *Agricultural History Review* 48: 151–70.

- Broadbridge, S.R. 1973. The Old Poor Law in the Parish of Stone. *North Staffordshire Journal of Field Studies* 13: 11–25.
- Brundage, Anthony. 1978. *The Making of the New Poor Law: The Politics of Inquiry, Enactment, and Implementation, 1832–1839*. New Brunswick, NJ: Rutgers University Press.
- Burke, Edmund. 1999 [1795]. *Thoughts and Details on Scarcity*. In Isaac Kramnick, ed. *The Portable Edmund Burke*. New York: Penguin, pp. 194–212.
- Burke, Helen. 1987. *The People and the Poor Law in 19th Century Ireland*. Wick, Littlehampton: Women's Education Press.
- Bush, M.L. 1992. Tenant Right and the Peasantries of Europe Under the Old Regime. In M.L. Bush, ed. *Social Orders and Social Classes in Europe Since 1500: Studies in Social Stratification*. London: Longman, pp. 136–57.
- Bushaway, R.W. 1992. Rite, Legitimation and Community in Southern England 1700–1850: The Ideology of Custom. In Barry Stapleton, ed. *Conflict and Community in Southern England: Essays in the Social History of Rural and Urban Labour from Medieval to Modern Times*. New York: St. Martin's Press, pp. 110–34.
- Butlin, R.A. 1961. Some Terms Used in Agrarian History: A Glossary. *Agricultural History Review* 9: 98–104.
- Cage, R.A. 1975. The Making of the Old Scottish Poor Law. *Past and Present* 69: 113–18.
- Cage, R.A. 1981. *The Scottish Poor Law 1745–1845*. Edinburgh: Scottish Academic Press.
- Cage, R.A. and E.O.A. Checkland. 1976. Thomas Chalmers and Urban Poverty: The St. John's Parish Experiment in Glasgow, 1819–1837. *Philosophical Journal* 13: 37–56.
- Cameron, Ewen A. 1997. 'They Will Listen to No Remonstrance': Land Raids and Land Raiders in the Scottish Highlands, 1886 to 1914. *Scottish Economic and Social History* 17: 43–64.
- Carr, E.H. 1987. *What Is History?* 2nd ed. London: Penguin.
- Chapman, John. 1987. The Extent and Nature of Parliamentary Enclosure. *Agricultural History Review* 35: 25–35.
- Checkland, S.G. and E.O.A. Checkland, eds. 1974 [1834]. *The Poor Law Report of 1834*. Harmondsworth: Penguin.
- Chill, Emanuel. 1962. Religion and Mendicity in Seventeenth-Century France. *International Review of Social History* 7: 400–25.
- Chiot, Daniel. 1985. The Rise of the West. *American Sociological Review* 50: 181–95.
- Clark, Elaine. 1982. Some Aspects of Social Security in Medieval England. *Journal of Family History* 7: 307–20.
- Clark, Elaine. 1990. The Quest for Security in Medieval England. In Michael M. Sheehan, ed. *Aging and the Aged in Medieval Europe*. Toronto: Pontifical Institute of Mediaeval Studies, pp. 189–200.
- Clark, Peter. 1979. Migration in England During the Late Seventeenth and Early Eighteenth Centuries. *Past and Present* 83: 57–90.
- Clark, Samuel. 1995. *State and Status: The Rise of the State and Aristocratic Power in Western Europe*. Montreal: McGill-Queen's University Press.
- Clay, Christopher. 1985. Landlords and Estate Management in England. In Joan Thirsk, ed. *The Agrarian History of England and Wales, Vol. 5, Part 2, 1640–1750*. Cambridge: Cambridge University Press, pp. 119–251.

- Coates, Ben. 2000. Poor Relief in London During the English Revolution Revisited. *London Journal* 25 (2): 40–58.
- Coleman, D.C. 1969. Eli Heckscher and the Idea of Mercantilism. In D.C. Coleman, ed. *Revisions in Mercantilism*. London: Methuen, pp. 92–117.
- Coleman, D.C. 1977. *The Economy of England 1450–1750*. Oxford: Oxford University Press.
- Coleman, Janet. 1988. Property and Poverty. In J.H. Burns, ed. *The Cambridge History of Medieval Political Thought c. 350–c. 1450*. Cambridge: Cambridge University Press, pp. 607–48.
- Collins, Harry. 1981. The Pattern of Poor Law Removals in Nottinghamshire in the Early Nineteenth Century. *Local Population Studies* 27: 71–8.
- Conninell, George C. 1987. *Rethinking the French Revolution: Marxism and the Revisionist Challenge*. London: Verso.
- Conninell, George C. 2000. English Feudalism and the Origins of Capitalism. *Journal of Peasant Studies* 27 (4): 1–53.
- Connors, Richard. 2002. Parliament and Poverty in Mid-eighteenth Century England. *Parliamentary History* 21: 207–31.
- Conrad, Christoph. 1996. Mixed Incomes for the Elderly Poor in Germany 1880–1930. In Michael B. Katz and Christoph Sachße, eds. *The Mixed Economy of Social Welfare: Public/Private Relations in England, Germany and the United States, the 1870's to the 1930's*. Baden-Baden: Nomos Verlagsgesellschaft, pp. 340–67.
- Conway, Thomas G. 1971. The Approach to an Irish Poor Law 1828–33. *Éire-Ireland* 6 (1): 65–81.
- Conze, Werner. 1985 [1954]. From 'Pöbel' to 'Proletariat': The Socio-historical Preconditions of Socialism in Germany. In Georg Iggers, ed. *The Social History of Politics: Critical Perspectives in West German Historical Writing Since 1945*. New York: St. Martin's Press, pp. 49–80.
- Corrigan, Philip and Derek Sayer. 1985. *The Great Arch: English State Formation as Cultural Revolution*. Oxford: Basil Blackwell.
- Crowther, M.A. 1990. Poverty, Health and Welfare. In W. Hamish Fraser and R.J. Morris, eds. *People and Society in Scotland, Vol. 2, 1830–1914*. Edinburgh: John Donald, pp. 265–89.
- Daunton, Martin. 1996. Introduction. In Martin Daunton, ed. *Charity, Self-Interest and Welfare in the English Past*. New York: St. Martin's Press, pp. 1–22.
- Davies, Alun C. 1977. The Old Poor Law in an Industrializing Parish: Aberdare, 1818–36. *Welsh History Review* 8: 285–311.
- Dean, Mitchell. 1991. *The Constitution of Poverty: Toward A Genealogy of Liberal Governance*. London: Routledge.
- Devine, T.M. 1978. Social Stability and Agrarian Change in the Eastern Lowlands of Scotland, 1810–1840. *Social History* 3: 331–46.
- Devine, T.M. 1984. Introduction: Scottish Farm Service in the Agricultural Revolution. In T.M. Devine, ed. *Farm Servants and Labour in Lowland Scotland 1770–1914*. Edinburgh: John Donald, pp. 1–8.
- Devine, T.M. 1989. Social Responses to Agrarian 'Improvement': The Highland and Lowland Clearances in Scotland. In R.A. Houston and I.D. Whyte, eds. *Scottish Society 1500–1800*. Cambridge: Cambridge University Press, pp. 148–68.
- Devine, T.M. 1994a. *The Transformation of Rural Scotland: Social Change and the Agrarian Economy, 1660–1815*. Edinburgh: Edinburgh University Press.
- Devine, T.M. 1994b. *Clanship to Crofters' War: The Social Transformation of the Scottish Highlands*. Manchester: Manchester University Press.

- Dewey, Clive. 1974. Celtic Agrarian Legislation and the Celtic Revival: Historicist Implications of Gladstone's Irish and Scottish Land Acts 1870–1886. *Past and Present* 64: 30–70.
- Dickson, David. 1988. In Search of the Old Irish Poor Law. In Rosalind Mitchison and Peter Roebuck, eds. *Economy and Society in Scotland and Ireland 1500–1939*. Edinburgh: John Donald, pp. 149–59.
- Dickson, David. 1989. The Gap in Famines: A Useful Myth? In E. Margaret Crawford, ed. *Famine: The Irish Experience 900–1900: Subsistence Crises and Famines in Ireland*. Edinburgh: John Donald, pp. 96–111.
- Digby, Anne. 1975. The Labour Market and the Continuity of Social Policy After 1834: The Case of the Eastern Counties. *Economic History Review* 28: 69–83.
- Digby, Anne. 1978. *Pauper Palaces*. London: Routledge and Kegan Paul.
- Digby, Anne. 1989. *The Poor Law in Nineteenth-Century England*. London: Historical Association.
- Dodd, A.H. 1926. The Old Poor Law in North Wales. *Archaeologia Cambrensis* 81 (Series 7 [6]): 111–32.
- Donnelly, Jr., James S. 1989a. The Administration of Relief, 1847–51. In W.E. Vaughan, ed. *A New History of Ireland, Vol. 5: Ireland Under the Union, Part I, 1801–70*. Oxford: Clarendon, pp. 316–31.
- Donnelly, Jr., James S. 1989b. Landlords and Tenants. In W.E. Vaughan, ed. *A New History of Ireland, Vol. 5: Ireland Under the Union, Part I, 1801–70*. Oxford: Clarendon, pp. 332–49.
- Driver, Felix. 1989. The Historical Geography of the Workhouse System in England and Wales, 1834–1883. *Journal of Historical Geography* 15: 269–86.
- Dudley, Rowena. 1999. The Dublin Parishes and the Poor: 1660–1740. *Archivium Hibernicum* 53: 80–94.
- Dunkley, Peter. 1974. The 'Hungry Forties' and the New Poor Law: A Case Study. *Historical Journal* 17: 329–46.
- Dunkley, Peter. 1981. Whigs and Paupers: The Reform of the English Poor Laws, 1830–1834. *Journal of British Studies* 20 (2): 124–49.
- Dunkley, Peter. 1982. *The Crisis of the Old Poor Law in England, 1795–1834: An Interpretive Essay*. New York: Garland.
- Dyer, Christopher. 1994. The English Medieval Village Community and its Decline. *Journal of British Studies* 33: 407–29.
- Emmison, F.G. 1933. The Relief of the Poor at Eaton Socon, 1706–1834. *Publications of the Bedfordshire Historical Record Society* 15: 1–98.
- Emmison, F.G. 1953. The Care of the Poor in Elizabethan Essex: Recently Discovered Records. *Essex Review* 62: 7–28.
- Engels, Frederick. 1972 [1884]. *The Origin of the Family, Private Property and the State*. New York: International Publishers.
- Evans, Eric J. 1983. *The Forging of the Modern State: Early Industrial Britain, 1783–1870*. London: Longman.
- Everitt, Alan. 1967. Farm Labourers. In Joan Thirsk, ed. *The Agrarian History of England and Wales, Vol. 4, 1500–1640*. Cambridge: Cambridge University Press, pp. 396–465.
- Fairchild, Cissie C. 1976. *Poverty and Charity in Aix-en-Provence, 1640–1789*. Baltimore: Johns Hopkins University Press.
- Ferguson, Thomas. 1948. *The Dawn of Scottish Social Welfare: A Survey from Medieval Times to 1863*. Edinburgh: Thomas Nelson and Sons.

- Fideler, Paul A. 2006. *Social Welfare in Pre-industrial England: The Old Poor Law Tradition*. Houndmills, Basingstoke: Palgrave Macmillan.
- Fissell, Mary E. 1989. The 'Sick and Drooping Poor' in Eighteenth-century Bristol and its Region. *Social History of Medicine* 2: 35–58.
- Flora, Peter and Jens Alber. 1981. Modernization, Democratization, and the Development of Welfare States in Western Europe. In Peter Flora and A.J. Heidenheimer, eds. *The Development of Welfare States in Europe and America*. London: Transaction, pp. 37–80.
- Flynn, Marilyn L. 1990. The English Poor Laws Before 1800: A Force in Politico-economic Modernization. *Aretê* 15 (2): 11–25.
- Forrest, Alan. 1981. *The French Revolution and the Poor*. Oxford: Basil Blackwell.
- Forster, Robert. 1970. Obstacles to Agricultural Growth in Eighteenth-century France. *American Historical Review* 75: 1600–15.
- Foster, John. 1974. *Class Struggle and the Industrial Revolution: Early Industrial Capitalism in Three English Towns*. London: Methuen.
- Frank, Andre Gunder. 1991. A Plea for World System History. *Journal of World History* 2: 1–28.
- Fraser, Derek. 1973. *The Evolution of the British Welfare State: A History of Social Policy Since the Industrial Revolution*. London: Macmillan.
- Fried, Morton H. 1967. *The Evolution of Political Society: An Essay in Political Anthropology*. New York: Random House.
- Gailus, Manfred. 1994. Food Riots in Germany in the Late 1840s. *Past and Present* 145: 157–93.
- Geremek, Bronislaw. 1994. *Poverty: A History*. Oxford: Blackwell.
- Gibson, Alex. 1990. Proletarianization? The Transition to Full-time Labour on a Scottish Estate, 1723–1787. *Continuity and Change* 5: 357–89.
- Goubert, Pierre. 1986. *The French Peasantry in the Seventeenth Century*. Cambridge: Cambridge University Press.
- Gough, Ian. 1979. *The Political Economy of the Welfare State*. London: Macmillan.
- Gray, Charles Montgomery. 1963. *Copyhold, Equity, and the Common Law*. Cambridge, MA: Harvard University Press.
- Gray, Malcolm. 1976. North-east Agriculture and the Labour Force, 1790–1875. In A. Allan MacLaren, ed. *Social Class in Scotland: Past and Present*. Edinburgh: John Donald, pp. 86–104.
- Gray, Malcolm. 1984. Farm Workers in North-east Scotland. In T.M. Devine, ed. *Farm Servants and Labour in Lowland Scotland 1770–1914*. Edinburgh: John Donald, pp. 10–28.
- Gregson, Nicky. 1989. Tawney Revisited: Custom and the Emergence of Capitalist Class Relations in North-east Cumbria, 1600–1830. *Economic History Review* 42: 18–42.
- Grell, Ole Peter and Andrew Cunningham. 1997. The Reformation and Changes in Welfare Provision in Early Modern Northern Europe. In Ole Peter Grell and Andrew Cunningham, eds. *Health Care and Poor Relief in Protestant Europe 1500–1700*. London: Routledge, pp. 1–42.
- Gritt, A.J. 2005. The Operation of Lifeleasehold in South-west Lancashire, 1649–97. *Agricultural History Review* 53: 1–23.
- Guinnane, Timothy W. 1993. The Poor Law and Pensions in Ireland. *Journal of Interdisciplinary History* 24: 271–91.
- Gülap, Haldun. 1981. Frank and Wallerstein Revisited: A Contribution to Brenner's Critique. *Journal of Contemporary Asia* 11: 169–88.

- Hagen, William W. 1986. Working for the Junker: The Standard of Living of Manorial Laborers in Brandenburg, 1584–1810. *Journal of Modern History* 58: 143–58.
- Haines, Richard. 1965 [1677]. Proposals for Building, in Every County, a Working-Alms-House or Hospital, as the Best Expedient to Perfect the Trade and Manufactory of Linen Cloth. In *The Harleian Miscellany*. Vol. 4. New York: AMS Press, pp. 489–94.
- Haines, Robin. 1997. 'The Idle and the Drunken Won't Do There': Poverty, the New Poor Law and Nineteenth-century Government-Assisted Emigration to Australia from the United Kingdom. *Australian Historical Studies* 108: 1–21.
- Hall, John A. and G. John Ikenberry. 1989. *The State*. Minneapolis: University of Minnesota Press.
- Hamerow, Theodore S. 1958. *Restoration, Revolution, Reaction: Economics and Politics in Germany 1815–1871*. Princeton: Princeton University Press.
- Hammond, J.L. and Barbara Hammond. 1978 [1911]. *The Village Labourer*. London: Longman.
- Hampson, Ethel M. 1928. Settlement and Removal in Cambridgeshire, 1662–1834. *Cambridge Historical Journal* 2: 273–89.
- Hampson, E.M. 1934. *The Treatment of Poverty in Cambridgeshire 1597–1834*. Cambridge: Cambridge University Press.
- Harloe, Michael. 1997. The State and Welfare. *Sociology Review* 6 (4): 28–31.
- Harriss, Gerald. 1993. Political Society and the Growth of Government in Late Medieval England. *Past and Present* 138: 28–57.
- Hay, Douglas. 1975. Property, Authority and the Criminal Law. In Douglas Hay et al., *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*. New York: Pantheon, pp. 17–63.
- Henlock, Peter. 1990. Public Provision for Old Age: Britain and Germany 1880–1914. *Archiv für Sozialgeschichte* 30: 81–103.
- Herlan, Ronald W. 1977. Poor Relief in the London Parish of Dunstan in the West During the English Revolution. *Guildhall Studies in London History* 3 (1): 13–36.
- Herlan, Ronald W. 1979. Poor Relief in London during the English Revolution. *Journal of British Studies* 18 (2): 30–51.
- Hexter, J.H. 1993. History. In William Outhwaite and Tom Bottomore, eds. *The Blackwell Dictionary of Twentieth-Century Social Thought*. Oxford: Blackwell, pp. 262–6.
- Hey, David. 1972. *The Rural Metalworkers of the Sheffield Region: A Study of Rural Industry Before the Industrial Revolution*. Leicester: Leicester University Press.
- Hickey, Daniel. 1992. Closing Down Local Hospitals in Seventeenth-Century France: The Mount Carmel and St Lazare Reform Movement. *Histoire sociale/Social History* 49: 9–33.
- Hill, Christopher. 1974 [1967]. Pottage for Freeborn Englishmen: Attitudes to Wage-Labour. In *Change and Continuity in Seventeenth-Century England*. London: Weidenfeld and Nicolson, pp. 219–38.
- Hilton, R.H. 1975. *The English Peasantry in the Later Middle Ages*. Oxford: Clarendon.
- Hilton, R.H., ed. 1978. *The Transition from Feudalism to Capitalism*. London: Verso.
- Himmelfarb, Gertrude. 1984. *The Idea of Poverty: England in the Early Industrial Age*. New York: Alfred A. Knopf.

- Hindle, Steve. 1998. Power, Poor Relief, and Social Relations in Holland Fen, c. 1600–1800. *Historical Journal* 41: 67–96.
- Hindle, Steve. 2002. States, Markets and Entitlements in Early Modern Europe. *Journal of Early Modern History* 6: 185–93.
- Hindle, Steve. 2004. *On the Parish? The Micro-politics of Poor Relief in Rural England, c. 1550–1750*. New York: Oxford University Press.
- Hinton, F.H. 1940. Notes on the Administration of Relief of the Poor of Lacock, 1583 to 1834. *Wiltshire Archaeological and Natural History Magazine* 49 (173): 166–218.
- Hitchcock, Tim and John Black, eds. 1999. *Chelsea Settlement and Bastardy Examinations, 1733–1766*. London: London Record Society.
- Hobsbawm, Eric and George Rudé. 1968. *Captain Swing: A Social History of the Great English Agricultural Uprising of 1830*. London: W.W. Norton.
- Holton, R.J. 1986. *Cities, Capitalism and Civilization*. London: Allen and Unwin.
- Houston, Rab and K.D.M. Snell. 1984. Proto-industrialization? Cottage Industry, Social Change, and Industrial Revolution. *Historical Journal* 27: 473–92.
- Hudson, Pat. 1992. *The Industrial Revolution*. London: Edward Arnold.
- Hufton, Olwen H. 1974. *The Poor of Eighteenth-Century France 1750–1789*. Oxford: Clarendon.
- Humphries, Jane. 1990. Enclosures, Common Rights, and Women: The Proletarianization of Families in the Late Eighteenth and Early Nineteenth Centuries. *Journal of Economic History* 50: 17–42.
- Hunt, E.H. 1990. Paupers and Pensioners: Past and Present. *Ageing and Society* 9: 407–30.
- Huzel, James P. 1980. The Demographic Impact of the Old Poor Law: More Reflections on Malthus. *Economic History Review* 33: 367–81.
- Huzel, J.P. 1989. The Labourer and the Poor Law, 1750–1850. In G.E. Mingay, ed. *The Agrarian History of England and Wales, Vol. 6, 1750–1850*. Cambridge: Cambridge University Press, pp. 755–810.
- Innes, Joanna. 1987. Prisons for the Poor: English Bridewells, 1555–1800. In Francis Snyder and Douglas Hay, eds. *Labour, Law, and Crime: An Historical Perspective*. London: Tavistock, pp. 42–122.
- Innes, Joanna. 1994. The Domestic Face of the Military-Fiscal State: Government and Society in Eighteenth-Century Britain. In Lawrence Stone, ed. *An Imperial State at War: Britain from 1689 to 1815*. London: Routledge, pp. 96–127.
- Innes, Joanna. 1998. State, Church and Voluntarism in European Welfare, 1690–1850. In Hugh Cunningham and Joanna Innes, eds. *Charity, Philanthropy and Reform: From the 1690s to 1850*. New York: St. Martin's Press, pp. 15–65.
- Innes, Joanna. 1999a. The State and the Poor: Eighteenth-Century England in European Perspective. In John Brewer and Eckhart Hellmuth, eds. *Rethinking Leviathan: The Eighteenth-Century State in Britain and Germany*. Oxford: Oxford University Press, pp. 225–80.
- Innes, Joanna. 1999b. What Would a 'Four Nations' Approach to the Study of Eighteenth-Century British Social Policy Entail? In S.J. Connolly, ed. *Kingdoms United? Great Britain and Ireland Since 1500*. Dublin: Four Courts Press, pp. 181–99.
- Innes, Joanna. 2002. The Distinctiveness of the English Poor Laws. In Donald Winch and Patrick K. O'Brien, eds. *The Political Economy of British Historical Experience, 1688–1914*. Oxford: Oxford University Press, pp. 381–407.

- Jones, Colin. 1982. *Charity and Bienfaisance: The Treatment of the Poor in the Montpellier Region, 1740–1815*. Cambridge: Cambridge University Press.
- Jones, Gareth Elwyn. 1994. *Modern Wales: A Concise History*. 2nd ed. Cambridge: Cambridge University Press.
- Jones, Margaret. 1997. The 1908 Old Age Pensions Act: The Poor Law in New Disguise? In Keith Laybourn, ed. *Social Conditions, Status and Community 1860–c.1920*. Thrupp, Stroud: Sutton, pp. 82–103.
- Jones, P.M. 1988. *The Peasantry in the French Revolution*. Cambridge: Cambridge University Press.
- Jones, P.M. 1990. Agricultural Modernization and the French Revolution. *Journal of Historical Geography* 16: 38–50.
- Jütte, Robert. 1994. *Poverty and Deviance in Early Modern Europe*. Cambridge: Cambridge University Press.
- Kelly, J. Thomas. 1977. *Thorns on the Tudor Rose: Monks, Rogues, Vagabonds, and Sturdy Beggars*. Jackson: University Press of Mississippi.
- Kelly, James. 1991–1992. Harvests and Hardship: Famine and Scarcity in Ireland in the Late 1720s. *Studia Hibernica* 26: 65–105.
- Kelly, James. 1992. Scarcity and Poor Relief in Eighteenth-Century Ireland: The Subsistence Crisis of 1782–4. *Irish Historical Studies* 28: 38–62.
- Kent, Joan R. 1995. The Centre and the Localities: State Formation and Parish Government in England, c. 1640–1740. *Historical Journal* 38: 363–404.
- Kent, Joan R. and Steve King. 2003. Changing Patterns of Poor Relief in Some English Rural Parishes c. 1650–1750. *Rural History* 14: 119–56.
- Kern, William. 1998. Current Welfare Reform: A Return to the Principles of 1834. *Journal of Economic Issues* 32: 427–32.
- Kerridge, Eric. 1973. *The Farmers of Old England*. London: George Allen and Unwin.
- Kinealy, Christine. 1989. The Poor Law During the Great Famine: An Administration in Crisis. In E. Margaret Crawford, ed. *Famine: The Irish Experience 900–1900: Subsistence Crises and Famines in Ireland*. Edinburgh: John Donald, pp. 157–75.
- Kinealy, Christine. 1994. *This Great Calamity: The Irish Famine 1845–52*. Dublin: Gill and Macmillan.
- King, Peter. 1989. Gleaners, Farmers and the Failure of Legal Sanctions in England 1750–1850. *Past and Present* 125: 116–50.
- King, Peter. 1991. Customary Rights and Women's Earnings: The Importance of Gleaning to the Rural Labouring Poor, 1750–1850. *Economic History Review* 44: 461–76.
- King, Steven. 2000. *Poverty and Welfare in England 1700–1850: A Regional Perspective*. Manchester: Manchester University Press.
- King, Steven. 2005. 'It Is Impossible for Our Vestry to Judge His Case into Perfection from Here': Managing the Distance Dimensions of Poor Relief, 1800–40. *Rural History* 16: 161–89.
- King, Steven and John Stewart. 2001. The History of the Poor Law in Wales: Under-Researched, Full of Potential. *Archives* 105: 134–48.
- Kitch, Malcolm. 1992. Population Movement and Migration in Pre-industrial Rural England. In Brian Short, ed. *The English Rural Community: Images and Analysis*. Cambridge: Cambridge University Press, pp. 62–84.

- Knott, John William. 1984. Land, Kinship and Identity: The Cultural Roots of Agrarian Agitation in Eighteenth- and Nineteenth-Century Ireland. *Journal of Peasant Studies* 12 (1): 93–108.
- Knott, John. 1986. *Popular Opposition to the 1834 Poor Law*. New York: St. Martin's Press.
- Knowles, David. 1976 [1959]. *Bare Ruined Choirs: The Dissolution of the English Monasteries*. Cambridge: Cambridge University Press.
- Kocka, Jürgen. 1986. Problems of Working-Class Formation in Germany: The Early Years, 1800–1875. In Ira Katznelson and Aristide R. Zolberg, eds. *Working-Class Formation: Nineteenth-Century Patterns in Western Europe and the United States*. Princeton: Princeton University Press, pp. 279–351.
- Kolbert, C.F. and T. O'Brien. 1975. *Land Reform in Ireland: A Legal History of the Irish Land Problem and its Settlement*. Cambridge: University of Cambridge Department of Land Economy, Occasional Paper No. 3.
- Kosminsky, E.A. 1955. The Evolution of Feudal Rent in England from the XI to the XVth Centuries. *Past and Present* 7: 12–36.
- Kussmaul, Ann. 1981. *Servants in Husbandry in Early Modern England*. Cambridge: Cambridge University Press.
- Labrousse, Ernest. 1966. The Evolution of Peasant Society in France from the Eighteenth Century to the Present. In Evelyn M. Acomb and Marvin L. Brown, Jr., eds. *French Society and Culture Since the Old Regime*. New York: Holt, Rinehart and Winston, pp. 43–64.
- Lachmann, Richard. 1987. *From Manor to Market: Structural Change in England, 1536–1640*. Madison: University of Wisconsin Press.
- Landau, Norma. 1988. The Laws of Settlement and the Surveillance of Immigration in Eighteenth-Century Kent. *Continuity and Change* 3: 391–420.
- Landau, Norma. 1990. The Regulation of Immigration, Economic Structures and Definitions of the Poor in Eighteenth-Century England. *Historical Journal* 33: 541–71.
- Landau, Norma. 1991. The Eighteenth-Century Context of the Laws of Settlement. *Continuity and Change* 6: 417–39.
- Landau, Norma. 1995. Who Was Subjected to the Laws of Settlement? Procedure Under the Settlement Laws in Eighteenth-Century England. *Agricultural History Review* 43: 139–59.
- Lazonick, William. 1974. Karl Marx and Enclosures in England. *Review of Radical Political Economics* 6 (2): 1–59.
- Lees, Andrew. 1996. State and Society. In Roger Chickering, ed. *Imperial Germany: A Historiographical Companion*. Westport, CT: Greenwood, pp. 215–43.
- Lees, Lynn Hollen. 1998. *The Solidarities of Strangers: The English Poor Laws and the People, 1700–1948*. Cambridge: Cambridge University Press.
- Lenger, Friedrich. 2004. Economy and Society. In Jonathan Sperber, ed. *Germany 1800–1870*. Oxford: Oxford University Press, pp. 91–114.
- Leonard, E.M. 1965 [1900]. *The Early History of English Poor Relief*. London: Frank Cass.
- Lindemann, Mary. 1990. *Patriots and Paupers: Hamburg, 1712–1830*. Oxford: Oxford University Press.
- Lindert, Peter. 1998. Poor Relief Before the Welfare State: Britain Versus the Continent, 1780–1880. *European Review of Economic History* 2: 101–40.
- Lindsay, Jean. 1975. *The Scottish Poor Law: Its Operation in the North-East from 1745 to 1845*. Elms Court, Ilfracombe: Arthur H. Stockwell.

- Lis, Catharina and Hugo Soly. 1979. *Poverty and Capitalism in Pre-industrial Europe*. Sussex: Harvester.
- Lis, Catharina and Hugo Soly. 1984. Policing the Early Modern Proletariat, 1450–1850. In David Levine, ed. *Proletarianization and Family History*. London: Academic Press, pp. 163–228.
- MacAtasney, Gerard. 2001. Provision for the Poor in the Pre-famine Era. In A.J. Hughes and William Nolan, eds. *Armagh – History and Society: Interdisciplinary Essays on the History of an Irish County*. Dublin: Geography Publications, pp. 779–808.
- MacDonagh, Oliver. 1989. The Economy and Society, 1830–45. In W.E. Vaughan, ed. *A New History of Ireland, Vol. 5: Ireland Under the Union, Part I, 1801–70*. Oxford: Clarendon, pp. 218–41.
- Macfarlane, Stephen. 1986. Social Policy and the Poor in the Later Seventeenth Century. In A.L. Beier and Roger Finlay, eds. *London 1500–1700: The Making of the Metropolis*. London: Longman, pp. 252–77.
- Macpherson, C.B. 1980. *Burke*. Oxford: Oxford University Press.
- Malthus, Thomas Robert. 1970 [1798]. *An Essay on the Principle of Population*. Antony Flew, ed. London: Penguin.
- Mandler, Peter. 1987. The Making of the New Poor Law *Redivivus*. *Past and Present* 117: 131–57.
- Marshall, Dorothy. 1937. The Old Poor Law, 1662–1795. *Economic History Review* (1st series) 8: 38–47.
- Marshall, Dorothy. 1969 [1926]. *The English Poor in the Eighteenth Century: A Study in Social and Administrative History*. London: Routledge and Kegan Paul.
- Marshall, J.D. 1985. *The Old Poor Law, 1795–1834*. 2nd ed. London: Macmillan.
- Martin, E.W. 1972. From Parish to Union: Poor Law Administration 1601–1865. In E.W. Martin, ed. *Comparative Development in Social Welfare*. London: George Allen and Unwin, pp. 25–56.
- Martin, John E. 1983. *Feudalism to Capitalism: Peasant and Landlord in English Agrarian Development*. London: Macmillan.
- Marx, Karl. 1967 [1867]. *Capital*. Vol. 1. Frederick Engels, ed. New York: International Publishers.
- Marx, Karl. 1978a [1844]. Contribution to the Critique of Hegel's *Philosophy of Right*: Introduction. In R.C. Tucker, ed. *The Marx-Engels Reader*. 2nd ed. New York: W.W. Norton, pp. 53–65.
- Marx, Karl. 1978b [1852]. *The Eighteenth Brumaire of Louis Bonaparte*. In R.C. Tucker, ed. *The Marx-Engels Reader*. 2nd ed. New York: W.W. Norton, pp. 594–617.
- Marx, Karl. 1981 [1865]. *Capital*. Vol. 3. Ernest Mandel, ed. New York: Vintage.
- Marx, Karl. 1989 [1881]. Drafts of the Letter to Vera Zasulich. In Karl Marx and Frederick Engels. *Collected Works*. Vol. 24. London: Lawrence and Wishart, pp. 346–69.
- Marx, Karl and Frederick Engels. 1955 [1848]. *The Communist Manifesto*. S.H. Beer, ed. Arlington Heights, IL: Harlan Davidson.
- Marx, Karl and Friedrich Engels. 1978 [1845–1846]. *The German Ideology*. Part One. In R.C. Tucker, ed. *The Marx-Engels Reader*. 2nd ed. New York: W.W. Norton, pp. 146–200.
- Mathias, Peter. 1983. *The First Industrial Nation: An Economic History of Britain 1700–1914*. 2nd ed. London: Routledge.

- [McCulloch, John R.]. 1829. Review of *Ireland: Its Evils and Their Remedies* by Michael Thomas Sadler. *Edinburgh Review* 49 (June): 300–17.
- McDowell, R.B. 1986. Ireland in 1800. In T.W. Moody and W.E. Vaughan, eds. *A New History of Ireland, Vol. 4: Eighteenth-Century Ireland 1691–1800*. Oxford: Clarendon, pp. 657–712.
- McHugh, Ned. 1998. *Drogheda Before the Famine: Urban Poverty in the Shadow of Privilege 1826–45*. Dublin: Irish Academic Press.
- McIntosh, Marjorie K. 1988. Local Responses to the Poor in Late Medieval and Tudor England. *Continuity and Change* 3: 209–45.
- McNally, David. 1988. *Political Economy and the Rise of Capitalism: A Reinterpretation*. Los Angeles: University of California Press.
- McNally, David. 1993. *Against the Market: Political Economy, Market Socialism and the Marxist Critique*. London: Verso.
- McPherson, J.M. 1941. *The Kirk's Care of the Poor: With Special Reference to the North-East of Scotland*. Aberdeen: John Avery.
- McRee, Ben R. 1993. Charity and Gild Solidarity in Late Medieval England. *Journal of British Studies* 32: 195–225.
- Midwinter, Eric. 1994. *The Development of Social Welfare in Britain*. Buckingham: Open University Press.
- Miliband, Ralph. 1969. *The State in Capitalist Society*. London: Quartet.
- Miliband, Ralph. 1994. *Socialism for a Sceptical Age*. London: Verso.
- Miller, Stewart. 1999. The Development of Social Policy. In John Baldock et al., eds. *Social Policy*. Oxford: Oxford University Press, pp. 16–35.
- Mitchell, B.R. 1988. *British Historical Statistics*. Cambridge: Cambridge University Press.
- Mitchison, Rosalind. 1974. The Making of the Old Scottish Poor Law. *Past and Present* 63: 58–93.
- Mitchison, Rosalind. 1988. The Poor Law. In T.M. Devine and Rosalind Mitchison, eds. *People and Society in Scotland: A Social History of Modern Scotland, Vol. 1*. Edinburgh: John Donald, pp. 252–67.
- Mitchison, Rosalind. 1989. North and South: The Development of the Gulf in Poor Law Practice. In R.A. Houston and I.D. Whyte, eds. *Scottish Society 1500–1800*. Cambridge: Cambridge University Press, pp. 199–225.
- Mitchison, Rosalind. 1991. *Coping with Destitution: Poverty and Relief in Western Europe*. Toronto: University of Toronto Press.
- Mitchison, Rosalind. 2000. *The Old Poor Law in Scotland: The Experience of Poverty, 1574–1845*. Edinburgh: Edinburgh University Press.
- Mokyr, Joel. 1993. Editor's Introduction: The New Economic History and the Industrial Revolution. In Joel Mokyr, ed. *The British Industrial Revolution*. Boulder: Westview, pp. 1–131.
- Mollat, Michel. 1986. *The Poor in the Middle Ages: An Essay in Social History*. New Haven: Yale University Press.
- Mooers, Colin. 1991. *The Making of Bourgeois Europe: Absolutism, Revolution, and the Rise of Capitalism in England, France, and Germany*. London: Verso.
- Mooser, Josef. 1986. Property and Wood Theft: Agrarian Capitalism and Social Conflict in Rural Society, 1800–50: A Westphalian Case Study. In Robert G. Moeller, ed. *Peasants and Lords in Modern Germany: Recent Studies in Agricultural History*. Boston: Allen and Unwin, pp. 52–80.
- Moselle, Boaz. 1995. Allotments, Enclosure, and Proletarianization in Early Nineteenth-Century Southern England. *Economic History Review* 48: 482–500.

- Moulin, Annie. 1991. *Peasantry and Society in France Since 1789*. Cambridge: Cambridge University Press.
- Murison, Barbara C. 1987. Poverty, Philanthropy and Emigration to British North America: Changing Attitudes in Scotland in the Early Nineteenth Century. *British Journal of Canadian Studies* 2: 263–88.
- National Council of Welfare. 2005. *Welfare Incomes 2004*. Ottawa: Author.
- National Council of Welfare. 2006. *Poverty Profile, 2002 and 2003*. Ottawa: Author.
- Neal, Frank. 1995. Lancashire, the Famine Irish and the Poor Laws: A Study in Crisis Management. *Irish Economic and Social History* 22: 26–48.
- Neeson, J.M. 1993. *Commoners: Common Right, Enclosure and Social Change in England, 1700–1820*. Cambridge: Cambridge University Press.
- Neuman, Mark. 1972. Speenhamland in Berkshire. In E.W. Martin, ed. *Comparative Development in Social Welfare*. London: George Allen and Unwin, pp. 85–127.
- Neuman, Mark. 1982. *The Speenhamland County: Poverty and the Poor Laws in Berkshire, 1782–1834*. New York: Garland.
- Norberg, Kathryn. 1985. *Rich and Poor in Grenoble 1600–1814*. Berkeley: University of California Press.
- O'Brien, Gerard. 1982. The Establishment of Poor-Law Unions in Ireland, 1838–43. *Irish Historical Studies* 23: 97–120.
- O'Brien, Gerard. 1986. Workhouse Management in Pre-Famine Ireland. *Proceedings of the Royal Irish Academy* 86C: 113–34.
- O'Brien, Patrick. 1982. European Economic Development: The Contribution of the Periphery. *Economic History Review* 35: 1–18.
- O'Carroll, Joseph. 1987. Contemporary Attitudes Towards the Homeless Poor 1725–1775. In David Dickson, ed. *The Gorgeous Mask: Dublin 1700–1850*. Dublin: Trinity History Workshop, pp. 64–85.
- Ó Gráda, Cormac. 1989a. Poverty, Population, and Agriculture, 1801–45. In W.E. Vaughan, ed. *A New History of Ireland, Vol. 5: Ireland Under the Union, Part I, 1801–70*. Oxford: Clarendon, pp. 108–36.
- Ó Gráda, Cormac. 1989b. *The Great Irish Famine*. London: Macmillan.
- Olejniczak, William. 1990. Working the Body of the Poor: The *ateliers de charité* in Late Eighteenth-Century France. *Journal of Social History* 24: 87–107.
- O'Neill, Timothy P. 1973a. Poverty in Ireland 1815–45. *Folk Life* 11: 22–33.
- O'Neill, Timothy P. 1973b. Fever and Public Health in Pre-Famine Ireland. *Journal of the Royal Society of Antiquaries of Ireland* 103: 1–34.
- O'Neill, Timothy P. 1973c. The Catholic Church and Relief of the Poor 1815–45. *Archivium Hibernicum* 31: 132–45.
- O'Neill, Timothy P. 1974. Clare and Irish Poverty, 1815–1851. *Studia Hibernica* 14: 7–27.
- Orr, Alastair. 1984. Farm Servants and Farm Labour in the Forth Valley and South-East Lowlands. In T.M. Devine, ed. *Farm Servants and Labour in Lowland Scotland 1770–1914*. Edinburgh: John Donald, pp. 29–54.
- Ottaway, Susannah R. 1998. Providing for the Elderly in Eighteenth-Century England. *Continuity and Change* 13: 391–418.
- Oxley, G.W. 1969. The Permanent Poor in South-West Lancashire Under the Old Poor Law. In J.R. Harris, ed. *Liverpool and Merseyside: Essays in the Economic and Social History of the Port and its Hinterland*. London: Frank Cass, pp. 16–49.
- Oxley, G.W. 1974. *Poor Relief in England and Wales 1601–1834*. Newton Abbot: David and Charles.

- Page, Benjamin I. and James R. Simmons. 2000. *What Government Can Do: Dealing with Poverty and Inequality*. Chicago: University of Chicago Press.
- Page, Frances M. 1930. The Customary Poor Law of Three Cambridgeshire Manors. *Cambridge Historical Journal* 3: 125–33.
- Paine, Thomas. 1969 [1791–1792]. *Rights of Man*. Henry Collins, ed. Harmondsworth: Penguin.
- Paterson, Audrey. 1976. The Poor Law in Nineteenth-Century Scotland. In Derek Fraser, ed. *The New Poor Law in the Nineteenth Century*. London: Macmillan, pp. 171–93.
- Paur, Philip. 1981. The Corporatist Character of Bismarck's Social Policy. *European Studies Review* 11: 427–60.
- Pearl, Valerie. 1978. Puritans and Poor Relief: The London Workhouse, 1649–1660. In Donald Pennington and Keith Thomas, eds. *Puritans and Revolutionaries: Essays in Seventeenth-Century History Presented to Christopher Hill*. Oxford: Oxford University Press, pp. 206–32.
- Pickles, May F. 1996. Labour Migration: Yorkshire, c. 1670 to 1743. *Local Population Studies* 57: 30–49.
- Pierson, Christopher. 1991. *Beyond the Welfare State? The New Political Economy of Welfare*. Cambridge: Polity.
- Piven, Frances Fox. 1996. From Workhouse to Workfare. *New York Times* August 1: A17.
- Plaul, Hainer. 1986. The Rural Proletariat: The Everyday Life of Rural Labourers in the Magdeburg Region, 1830–80. In Richard J. Evans and W.R. Lee, eds. *The German Peasantry: Conflict and Community in Rural Society from the Eighteenth to the Twentieth Centuries*. New York: St. Martin's Press, pp. 102–28.
- Plucknett, Theodore F.T. 1956. *A Concise History of the Common Law*. 5th ed. London: Butterworth.
- Polanyi, Karl. 1957 [1944]. *The Great Transformation: The Political and Economic Origins of Our Time*. Boston: Beacon.
- Porter, Roy. 1990. *English Society in the Eighteenth Century*. Revised ed. Harmondsworth: Penguin.
- Postan, M.M. 1973. *The Medieval Economy and Society: An Economic History of Britain, 1100–1500*. Los Angeles: University of California Press.
- Pound, John. 1971. *Poverty and Vagrancy in Tudor England*. London: Longman.
- Powell, Fred. 1981. The Irish Poor Law Controversy. *Social Policy and Administration* 15: 286–303.
- Price, Roger. 1983. Poor Relief and Social Crisis in Mid-Nineteenth-Century France. *European Studies Review* 13: 423–54.
- Raine, Helen. 1969. Christopher Fawcett Against the Inmates: An Aspect of Poor Law Administration in the Early Seventeenth Century. *Surrey Archaeological Collections* 66: 79–85.
- Report of the Royal Commission on Common Land, 1955–1958*. 1958. London: Her Majesty's Stationery Office.
- Robin, Jean. 1990. The Relief of Poverty in Mid Nineteenth-Century Colyton. *Rural History* 1: 193–218.
- Rose, Mary B. 1989. Social Policy and Business: Parish Apprenticeship and the Early Factory System 1750–1834. *Business History* 31 (4): 5–32.
- Rose, Michael E. 1966. The Allowance System Under the New Poor Law. *Economic History Review* 19: 607–20.

- Rose, Michael E. 1970. The Anti-Poor Law Agitation. In J.T. Ward, ed. *Popular Movements c.1830–50*. London: Macmillan, pp. 78–94.
- Rosenhaft, Eve. 1994. The Historical Development of German Social Policy. In Jochen Clasen and Richard Freeman, eds. *Social Policy in Germany*. Hemel Hempstead: Harvester Wheatsheaf, pp. 21–41.
- Royle, Stephen A. 1984. Irish Famine Relief in the Early Nineteenth Century: The 1822 Famine on the Aran Islands. *Irish Economic and Social History* 11: 44–59.
- Rushton, Neil S. 2001. Monastic Charitable Provision in Tudor England: Quantifying and Qualifying Poor Relief in the Early Sixteenth Century. *Continuity and Change* 16: 9–44.
- Rushton, P. 1989. The Poor Law, the Parish and the Community in North-East England, 1600–1800. *Northern History* 25: 135–52.
- Sagarra, Eda. 1977. *A Social History of Germany 1648–1914*. London: Methuen.
- Sargent, Frederic O. 1958. The Persistence of Communal Tenure in French Agriculture. *Agricultural History* 32: 100–8.
- Sargent, Frederic O. 1961. Feudalism to Family Farms in France. *Agricultural History* 35: 193–201.
- Saunders, Peter. 1995. *Capitalism*. Minneapolis: University of Minnesota Press.
- Saville, John. 1994. *The Consolidation of the Capitalist State, 1800–1850*. London: Pluto.
- Schlumbohm, Jürgen. 1992. From Peasant Society to Class Society: Some Aspects of Family and Class in a Northwest German Protoindustrial Parish, 17th–19th Centuries. *Journal of Family History* 17: 183–99.
- Schwartz, Robert M. 1988. *Policing the Poor in Eighteenth-century France*. Chapel Hill: University of North Carolina Press.
- Scrope, George Poulett. 1831. [Review of two works on the Irish poor]. *Quarterly Review* 44 (February): 511–54.
- Searby, Peter. 1977. The Relief of the Poor in Coventry, 1830–1863. *Historical Journal* 20: 345–61.
- Searle, C.E. 1986. Custom, Class Conflict and Agrarian Capitalism: The Cumbrian Customary Economy in the Eighteenth Century. *Past and Present* 110: 106–33.
- Searle, C.E. 1993. Customary Tenants and the Enclosure of the Cumbrian Commons. *Northern History* 29: 126–53.
- Seipp, David J. 1994. The Concept of Property in the Early Common Law. *Law and History Review* 12: 29–91.
- Sharp, Buchanan. 1988. Common Rights, Charities and the Disorderly Poor. In Geoff Eley and William Hunt, eds. *Reviving the English Revolution: Reflections and Elaborations on the Work of Christopher Hill*. London: Verso, pp. 107–37.
- Shaw-Taylor, Leigh. 2005. Family Farms and Capitalist Farms in Mid Nineteenth-Century England. *Agricultural History Review* 53: 158–91.
- Simpson, A.W.B. 1961. *An Introduction to the History of the Land Law*. London: Oxford University Press.
- Slack, Paul. 1980. Social Policy and the Constraints of Government, 1547–58. In Jennifer Loach and Robert Tittler, eds. *The Mid-Tudor Polity c. 1540–1560*. London: Macmillan, pp. 94–115.
- Slack, Paul. 1984. Poverty and Social Regulation in Elizabethan England. In Christopher Haigh, ed. *The Reign of Elizabeth I*. London: Macmillan, pp. 222–41.
- Slack, Paul. 1988. *Poverty and Policy in Tudor and Stuart England*. London: Longman.

- Slack, Paul. 1990. *The English Poor Law 1531–1782*. London: Macmillan.
- Slack, Paul. 1992. Dearth and Social Policy in Early Modern England. *Social History of Medicine* 5: 1–17.
- Slack, Paul. 1997. Hospitals, Workhouses and the Relief of the Poor in Early Modern London. In Ole Peter Grell and Andrew Cunningham, eds. *Health Care and Poor Relief in Protestant Europe 1500–1700*. London: Routledge, pp. 234–51.
- Slack, Paul. 1999. *From Reformation to Improvement: Public Welfare in Early Modern England*. Oxford: Clarendon.
- Smith, Adam. 1976 [1776]. *An Inquiry into the Nature and Causes of the Wealth of Nations*. Edwin Cannan, ed. Chicago: University of Chicago Press.
- Smith, Richard M. 1996. Charity, Self-interest and Welfare: Reflections from Demographic and Family History. In Martin Daunton, ed. *Charity, Self-interest and Welfare in the English Past*. New York: St. Martin's Press, pp. 23–49.
- Smith, Richard M. 1998. Ageing and Well-being in Early Modern England: Pension Trends and Gender Preferences Under the English Old Poor Law c.1650–1800. In Paul Johnson and Pat Thane, eds. *Old Age from Antiquity to Post-modernity*. London: Routledge, pp. 64–95.
- Smout, T.C. 1976. Famine and Famine-Relief in Scotland. In L.M. Cullen and T.C. Smout, eds. *Comparative Aspects of Scottish and Irish Economic and Social History 1600–1900*. Edinburgh: John Donald, pp. 21–9.
- Smout, Thomas Christopher. 1981. *The Social Condition of Scotland in the 1840's*. Dundee: University of Dundee.
- Snell, K.D.M. 1985. *Annals of the Labouring Poor: Social Change and Agrarian England, 1660–1900*. Cambridge: Cambridge University Press.
- Snell, K.D.M. 1991. Pauper Settlement and the Right to Poor Relief in England and Wales. *Continuity and Change* 6: 375–415.
- Snell, K.D.M. and J. Millar. 1987. Lone-Parent Families and the Welfare State: Past and Present. *Continuity and Change* 2: 387–422.
- Solar, Peter M. 1995. Poor Relief and English Economic Development Before the Industrial Revolution. *Economic History Review* 48: 1–22.
- Solow, Barbara Lewis. 1981. A New Look at the Irish Land Question. *Economic and Social Review* 12: 301–14.
- Song, Byung Khun. 1998. Agrarian Policies on Pauper Settlement and Migration, Oxfordshire 1750–1834. *Continuity and Change* 13: 363–89.
- Stapleton, Barry. 1988. Migration in Pre-industrial Southern England: The Example of Odiham. *Southern History* 10: 47–93.
- Steele, E.D. 1973. Tenant-Right and Nationality in Nineteenth-Century Ireland. *Proceedings of the Leeds Philosophical and Literary Society* (Literary and Historical Section) 15: 79–111.
- Steinmetz, George. 1993. *Regulating the Social: The Welfare State and Local Politics in Imperial Germany*. Princeton: Princeton University Press.
- Stone, Lawrence. 1994. Introduction. In Lawrence Stone, ed. *An Imperial State at War: Britain from 1689 to 1815*. London: Routledge, pp. 1–32.
- Styles, Philip. 1963. The Evolution of the Law of Settlement. *University of Birmingham Historical Journal* 9: 33–63.
- Swain, John T. 1986. *Industry Before the Industrial Revolution: North-East Lancashire c. 1500–1640*. Manchester: Manchester University Press.
- Tampke, Jürgen. 1981. Bismarck's Social Legislation: A Genuine Breakthrough? In W.J. Mommsen (in collaboration with Wolfgang Mock), ed. *The Emergence*

- of the Welfare State in Britain and Germany 1850–1950. London: Croom Helm, pp. 71–83.
- Tawney, R.H. 1967 [1912]. *The Agrarian Problem in the Sixteenth Century*. New York: Harper and Row.
- Taylor, Geoffrey. 1969. *The Problem of Poverty 1660–1834*. London: Longmans.
- Taylor, James S. 1972. The Unreformed Workhouse, 1776–1834. In E.W. Martin, ed. *Comparative Development in Social Welfare*. London: George Allen and Unwin, pp. 57–84.
- Taylor, James S. 1976. The Impact of Pauper Settlement 1691–1834. *Past and Present* 73: 42–74.
- Taylor, James S. 1989. *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives*. Palo Alto, CA: The Society for the Promotion of Science and Scholarship.
- Taylor, James S. 1991. A Different Kind of Speenhamland: Nonresident Relief in the Industrial Revolution. *Journal of British Studies* 30: 183–208.
- Thirsk, Joan. 1964. The Common Fields. *Past and Present* 29: 3–25.
- Thirsk, Joan. 1967. Enclosing and Engrossing. In Joan Thirsk, ed. *The Agrarian History of England and Wales, Vol. 4, 1500–1640*. Cambridge: Cambridge University Press, pp. 200–55.
- Thirsk, Joan. 1984. Introduction. In Joan Thirsk, ed. *The Agrarian History of England and Wales, Vol. 5, Part 1, 1640–1750*. Cambridge: Cambridge University Press, pp. xix–xxxi.
- Thirsk, Joan. 1987. *England's Agricultural Regions and Agrarian History, 1500–1750*. Houndmills, Basingstoke: Macmillan.
- Thomas, E.G. 1980. The Old Poor Law and Medicine. *Medical History* 24: 1–19.
- Thompson, E.P. 1968 [1963]. *The Making of the English Working Class*. Harmondsworth: Penguin.
- Thompson, E.P. 1976. The Grid of Inheritance: A Comment. In Jack Goody, Joan Thirsk and E.P. Thompson, eds. *Family and Inheritance: Rural Society in Western Europe, 1200–1800*. Cambridge: Cambridge University Press, pp. 328–60.
- Thompson, E.P. 1978. *The Poverty of Theory and Other Essays*. New York: Monthly Review Press.
- Thompson, E.P. 1993. *Customs in Common*. New York: New Press.
- Thompson, R.N. 1979. The Working of the Poor Law Amendment Act in Cumbria, 1836–1871. *Northern History* 15: 117–37.
- Thomson, David. 1984a. 'I Am Not My Father's Keeper': Families and the Elderly in Nineteenth Century England. *Law and History Review* 2: 265–86.
- Thomson, David. 1984b. The Decline of Social Welfare: Falling State Support for the Elderly Since Early Victorian Times. *Ageing and Society* 4: 451–82.
- Thomson, David. 1986. Welfare and the Historians. In Lloyd Bonfield, Richard M. Smith and Keith Wrightson, eds. *The World We Have Gained: Histories of Population and Social Structure*. Oxford: Basil Blackwell, pp. 355–78.
- Thomson, David. 1991. The Welfare of the Elderly in the Past: A Family or Community Responsibility? In Margaret Pelling and Richard M. Smith, eds. *Life, Death, and the Elderly: Historical Perspectives*. London: Routledge, pp. 194–221.
- Thomson, David. 1996. Public, Private and the English Elderly. In Michael B. Katz and Christoph Sachße, eds. *The Mixed Economy of Social Welfare: Public/Private Relations in England, Germany and the United States, the 1870's to the 1930's*. Baden-Baden: Nomos Verlagsgesellschaft, pp. 319–39.

- Tierney, Brian. 1959. *Medieval Poor Law: A Sketch of Canonical Theory and its Application in England*. Los Angeles: University of California Press.
- Tobriner, Alice. 1985. Almshouses in Sixteenth-Century England: Housing for the Poor Elderly. *Journal of Religion and Aging* 1 (4): 13–41.
- van Leeuwen, Marco H.D. 1994. Logic of Charity: Poor Relief in Preindustrial Europe. *Journal of Interdisciplinary History* 24: 589–613.
- Vardi, Liana. 1993. Construing the Harvest: Gleaners, Farmers, and Officials in Early Modern France. *American Historical Review* 98: 1424–47.
- Verhovek, Sam Howe. 2001. Oregon: Welfare Agency Recalls Advice. *New York Times* May 12: A11.
- Wales, Tim. 1984. Poverty, Poor Relief and the Life-Cycle: Some Evidence from Seventeenth-Century Norfolk. In Richard M. Smith, ed. *Land, Kinship and Life-Cycle*. Cambridge: Cambridge University Press, pp. 351–404.
- Wallerstein, Immanuel. 1979. *The Capitalist World-Economy*. Cambridge: Cambridge University Press.
- Wallerstein, Immanuel. 1992. The West, Capitalism, and the Modern World-System. *Review* 15: 561–619.
- Wear, Andrew. 1991. Caring for the Sick Poor in St. Bartholomew's Exchange: 1580–1676. *Medical History* 11 (Supplement): 41–60.
- Webb, Sidney and Beatrice Webb. 1963a [1927]. *English Poor Law History, Part One: The Old Poor Law*. Hamden, CT: Archon Books.
- Webb, Sidney and Beatrice Webb. 1963b [1929]. *English Poor Law History, Part Two: The Last Hundred Years*. Vol. 1. Hamden, CT: Archon Books.
- Weber, Max. 1992 [1904–1905]. *The Protestant Ethic and the Spirit of Capitalism*. London: Routledge.
- Weiss, John H. 1983. Origins of the French Welfare State: Poor Relief in the Third Republic, 1871–1914. *French Historical Studies* 13: 47–78.
- Wells, Roger. 1988. *Wretched Faces: Famine in Wartime England 1793–1801*. Gloucester: Alan Sutton.
- Wells, Roger. 1993. Migration, the Law, and Parochial Policy in Eighteenth and Early Nineteenth-Century Southern England. *Southern History* 15: 87–139.
- Whitaker, Elizabeth D. 1992. Bread and Work: Pellagra and Economic Transformation in Turn-of-the-Century Italy. *Anthropological Quarterly* 65: 80–90.
- Whittle, Jane. 2000. *The Development of Agrarian Capitalism: Land and Labour in Norfolk 1440–1580*. Oxford: Clarendon.
- Whyte, Ian D. 2000. *Migration and Society in Britain 1550–1830*. London: Macmillan.
- Wilbraham, Kevin and Christine Lodge. 2002. Responses to Poverty in Ayrshire, 1574–1845. *Scottish Archives* 8: 57–70.
- Williams, Karel. 1981. *From Pauperism to Poverty*. London: Routledge and Kegan Paul.
- Williams, Samantha. 2004. Malthus, Marriage and Poor Law Allowances Revisited: A Bedfordshire Case Study, 1770–1834. *Agricultural History Review* 52: 56–82.
- Williams, Samantha. 2005a. Earnings, Poor Relief and the Economy of Makeshifts: Bedfordshire in the Early Years of the New Poor Law. *Rural History* 16: 21–52.
- Williams, Samantha. 2005b. Practitioners' Income and Provision for the Poor: Parish Doctors in the Late Eighteenth and Early Nineteenth Centuries. *Social History of Medicine* 18: 159–86.

- Williams, Samantha. 2005c. Poor Relief, Labourers' Households and Living Standards in Rural England c. 1770–1834: A Bedfordshire Case Study. *Economic History Review* 58: 485–519.
- Wilson, Charles. 1958. *Mercantilism*. London: Historical Association.
- Winstanley, Michael J. 1984. *Ireland and the Land Question 1800–1922*. London: Methuen.
- Wolf, Eric R. 1997 [1982]. *Europe and the People Without History*. Los Angeles: University of California Press.
- Woloch, Isser. 1986. From Charity to Welfare in Revolutionary Paris. *Journal of Modern History* 58: 779–812.
- Wood, Andy. 1997. The Place of Custom in Plebeian Political Culture: England, 1550–1800. *Social History* 22: 46–60.
- Wood, Andy. 2002. *Riot, Rebellion and Popular Politics in Early Modern England*. Houndmills, Basingstoke: Palgrave.
- Wood, Ellen Meiksins. 1981. The Separation of the Economic and the Political in Capitalism. *New Left Review* 127: 66–95.
- Wood, Ellen Meiksins. 1988. *Peasant-Citizen and Slave: The Foundations of Athenian Democracy*. London: Verso.
- Wood, Ellen Meiksins. 1991. *The Pristine Culture of Capitalism: A Historical Essay on Old Regimes and Modern States*. London: Verso.
- Wood, Ellen Meiksins. 1994. From Opportunity to Imperative: The History of the Market. *Monthly Review* 46 (3): 14–40.
- Wood, Ellen Meiksins. 1995. *Democracy Against Capitalism: Renewing Historical Materialism*. Cambridge: Cambridge University Press.
- Wood, Ellen Meiksins. 2002a. *The Origin of Capitalism: A Longer View*. London: Verso.
- Wood, Ellen Meiksins. 2002b. The Question of Market Dependence. *Journal of Agrarian Change* 2: 50–87.
- Wood, Ellen Meiksins and Neal Wood. 1978. *Class Ideology and Ancient Political Theory: Socrates, Plato, and Aristotle in Social Context*. New York: Oxford University Press.
- Wood, Ellen Meiksins and Neal Wood. 1997. *A Trumpet of Sedition: Political Theory and the Rise of Capitalism, 1509–1688*. New York: New York University Press.
- Wood, Neal. 1984. *John Locke and Agrarian Capitalism*. Los Angeles: University of California Press.
- Wood, Neal. 1994. *Foundations of Political Economy: Some Early Tudor Views on State and Society*. Los Angeles: University of California Press.
- Wood, Peter. 1991. *Poverty and the Workhouse in Victorian Britain*. Wolfeboro Falls, NH: Alan Sutton.
- Woolf, Stuart. 1986. *The Poor in Western Europe in the Eighteenth and Nineteenth Centuries*. London: Methuen.
- Wordie, J.R. 1983. The Chronology of English Enclosure, 1500–1914. *Economic History Review* 36: 483–505.
- Wrightson, Keith. 2000. *Earthly Necessities: Economic Lives in Early Modern Britain*. New Haven: Yale University Press.
- Wrigley, E. Anthony. 1985. Urban Growth and Agricultural Change: England and the Continent in the Early Modern Period. *Journal of Interdisciplinary History* 15: 683–728.
- Youngs, Joyce. 1984. *Sixteenth-Century England*. Harmondsworth: Penguin.