Introduction: pauper policies

I am sorry to receive such a message from you that I am to have four Shillans of my Pay taken of. I hope you will not be so hard hearted as to take it from me as I stand in more need of having some. Ann Dunster

Ann Dunster was unemployed and living on Exmoor. In 1821 she wrote to the parish officers outlining her circumstances, arguing that she needed poor relief to keep her children, and herself, from going hungry. Ann argued that she had little control over her situation: ‘[i]t is not by Idleness’ or misbehaviour ‘that I am forst to come to you but it is by Death’. Ann knew where her status as a widow placed her entitlement according to the law. As ‘aloud by the Justice of Peace’, it was the duty of the parish to send money to maintain the fatherless children until ‘they are abel to do for them selves’. The main purpose of her letter was not to obtain poor relief for the first time, or to ask for an increase in the value of a payment, however. Ann had written to her parish officers to remonstrate against a reduction in her outdoor relief. Her letter was one of thousands that were sent from relief claimants to the overseers during the poor laws. Whilst there was no such thing as a typical relief claimant, Ann’s case does typify the complex interactions between policy, practitioners and paupers from the mid eighteenth century. This book examines the social policies developed during this period of poor relief transition, the sorts of policies that had affected individuals, such as Ann, and their families.

The poor and poor relief in crisis

England witnessed both industrial and agricultural revolutions during the late eighteenth and early nineteenth centuries, provoking
great social and economic change. Employment in agriculture, for-
ery and fishing fell from constituting 35.9 per cent of the workforce
in 1700 to 21.7 per cent by 1851, whilst those employed in manufac-
turing, mining and industry increased from 29.7 to 42.9 per cent.\(^2\)
Due to mechanisation and cheaper costs of production in large-scale
factories, cottage industries declined, something that had a dramatic
impact upon many rural communities.\(^3\) In the countryside, the quick-
ening of the capitalist imperative essentially divided rural societies
into three main groups: landlords, tenant farmers and agricultural
labourers.\(^4\) The widespread enclosure of commons and open fields
allowed landlords to make efficiency savings as well as to capitalise
on a long-term rise in rents. The labouring poor, conversely, almost
invariably lost out, as the increased employment to which proponents
of enclosure pointed rarely made up for the loss of any common and
wasteland access.\(^5\) The economic effects of the Napoleonic Wars fur-
ther exacerbated these problems, causing a further decline in real
wages and acting to intensify structural unemployment. Although
labour shortages between 1793 and 1815 reduced unemployment
rates, unemployment increased dramatically after 1815.\(^6\) This, com-
bined with a decline of live-in service that tended to reduce marriage
ages, created an ever-increasing underemployed population.\(^7\)

By the nineteenth century, rural society in England had polarised.
Wealthy landowners and tenant farmers were at the thick end of the
wedge and the ‘landless agricultural labourers’ were at the other, head-
ing families that were unable to supplement the household budget
with cottage industry or able to subsist on a male wage alone.\(^8\) In
their ground-breaking book, The Village Labourer, published over
a century ago, the Hammonds describe the transformation as fol-
lows: ‘The labourers, stripped of their ancient rights and their ancient
possessions, refused a minimum wage and allotments, were given
instead a universal system of pauperism. This was the basis on which
the governing classes rebuilt the English village.’ The shift led to what
Dunbabin controversially claimed to be the creation of ‘the only real
Marxian proletariat that England ever had’.\(^9\) Whilst some histo-
rians have charted the impact of enclosure on the labouring class,
historians of protest have examined how their grievances came head-
to-head with authority in the Swing Riots of 1830–31, a series of
connected events considered to be the last time England came close
to a revolution.\(^10\)
It is little wonder therefore that poor law historians agree that poor relief was essential to the survival of the labouring classes by the beginning of the nineteenth century. Yet, those in need of assistance needed to navigate the system of the ‘Old Poor Law’, a system that originated in punitive statutes. The Webbs, whose forensic research cemented the theme of welfare firmly into the discipline of English economic and social history, described the ‘The Old Poor Law’ in the first volume of their *English Poor Law History* as ‘The Relief of Destitution within a Framework of Repression’. The earliest group of laws (1350s) relating to the poor (Statutes of Labourers) had ‘forbade the freeman from wandering out of his own parish, from asking for more than the customary wage, from spending money on fine clothes or on the education of his children, and generally from demeaning himself otherwise than as a poor and dependent person’. The Webbs argued that the laws created a way ‘of thrusting the free labourer back into the serfdom out of which, in one way or another, they had escaped’. And so the pattern of control and deterrence in the ‘poor laws’ was set. Indeed, the Acts passed infrequently in the late fifteenth and sixteenth centuries, such as those of 1495 and 1531, gave local magistrates the power to punish vagrants as well as to issue begging licences to confine their movements.

The statutes ‘which defined the Old Poor Law’, according to Paul Slack, an authority on this period, were the Acts of 1598 and 1601 at the end of Queen Elizabeth’s reign. The Act for the Relief of the Poor, and its revised version in 1601, stipulated that the parish was the unit from which poor relief would be both funded and distributed. To raise funds for relief, the parish had to organise the charging and collection of a new parish-based tax, the poor rate, which was levied in correlation to property ownership. In addition, the legislation demanded that the impotent should be given relief, the able-bodied should be set to work and children should be apprenticed. In charge of administering these laws were churchwardens and overseers. Magistrates maintained a ‘supervisory’ role over the endeavours of individual parishes, ensuring that parish officials had been elected fairly, and relief provision was operating within the confines of the new legislation. Magistrates also listened to individuals’ appeals against parish relief decisions and overruled them whenever they believed it was appropriate. As a consequence, when the poor were at odds with their treatment they could successfully mobilise the magistracy to ‘defend their interests’.
Slack has posited that ‘[i]n all essentials … the poor law was complete in 1601’, but, as others have already highlighted, a variety of Acts were passed in the seventeenth century. These Acts enabled parishes to identify who their poor were and to whom relief should be provided. The Settlement Act of 1662, although not considered to be a poor law per se, allowed parish officials to quiz individuals who they thought were ‘likely to be chargeable’ to the parish and (with the approval of two justices) return the paupers to their place of settlement. Whilst this legislation reinforced parish boundaries’ social and cultural importance within communities, another piece of legislation (passed in 1697) allowed parish officers to literally label their poor with the parish name. There were various interpretations of this Act, such as how and when the badge should be worn and what types of relief should be given to its wearers, and it has been a source of intrigue as to whether badging was a stigmatising practice or whether it reinforced individuals’ entitlement to relief. Whatever the intentions of the parish officers using this policy, however, the practice persisted into the 1790s.

In the meantime, providing relief by way of admittance into parish-funded accommodation became increasingly popular. Although numerous parishes had decided to pay individuals’ house rents, or had hired or bought a house for the reception of their poor as allowed under Elizabeth’s Act of 1601, many parish officers decided to establish institutions. There were two main types. First, Local Act workhouses (also known as ‘incorporation’ workhouses), which allowed a set of parish officials, with the consent of the wider community, to provide a workhouse with rules agreed in a piece of legislation. And second, the parochial workhouse, the adoption of which was concentrated in the 1720–30s, not least due to the passage of Knatchbull’s Act (1723), an ‘enabling’ or ‘non-compulsory’ piece of legislation that allowed parishes to build, alone or in collaboration with other parishes, a workhouse for the receipt of the poor. The workhouse movement lost momentum by the 1740s, but in the 1777 parliamentary enquiry into institutions, a total of 1,916 workhouses were identified in England, housing over 90,000 paupers.

The old poor laws created a remarkably flexible system. In the first instance, parishes could adopt Acts and develop practices that best suited their local contexts and, second, relief provision could be tailored to suit the needs of the individual claimants’ situation. This
optimistic perspective led Blaug to call the last few decades of relief under the old poor laws ‘a welfare state in miniature’, as it had managed ‘elements of wage escalation, family allowances, unemployment compensation, and public works’. Indeed, the south of England saw the growth of Speenhamland-style practices, whereby relief was allocated according to family size, as well as parish employment-linked relief and allotment provision. In addition, parish-funded medical attendance was common, and those in need of specialist treatments were sent to hospitals, to reside with medical men and to take a change of air. The parish would also pay for, or subsidise, food, clothing and tools to enable people to work.

But just as the relief system was flexible, it was also open to corruption. It is to the widespread adoption of allowances as well as employment-linked relief provision that historians have attributed some of the causes of agricultural unrest in the 1830s. Regardless of the mesmerising levels of flexibility on offer in the old poor law system, when the social and economic conditions of the late nineteenth century had led the labouring class to the vestry door, parish ratepayers saw their poor rate bills escalate. The £2 million spent on relief in England and Wales in 1783–85 had doubled by 1802–03 and continued to grow to £8 million by 1818. When accounting for population growth, there was still a significant increase in the average annual cost of poor relief, from 4s per head in 1776 to 13s in 1818. Parish officials, not least in southern England, faced a seemingly insurmountable challenge: to provide poor relief whilst endeavouring to keep the rates stable. Steven King found 249 pamphlets and open letters written by the landed gentry and other interested parties on the subject of the old poor law, dating between 1700 and 1820. Arthur Young’s Annals of Agriculture (published in 45 volumes from 1784), contained contributions from people from across the country on the topic of poor relief and wages in the English countryside. These are indicators of the energy that characterised an age of ‘debates, experiments and reforms’.

Opinion moved in favour of long-term, government-led policy change, culminating in the Poor Law Amendment Act 1834. The Royal Commission, after researching the practices of the old poor laws, and under the influence of political economists, believed that the deterrent workhouse system would be the best option for the relief of the poor. Not only would this put a stop to the allowance system, but
also would suppress other perceived ‘evils’ that the flexible old system had brought on, including unrest. As Anthony Brundage wrote, ‘lurking behind the financial concerns of peers and squires was the spectre of social disintegration’. Whilst the Amendment Act of 1834 did not make the creation of workhouse-centred unions compulsory, in practice the zealous activities of the Poor Law Commission – the London-based welfare authority responsible for the central administration of the New Poor Law – meant that few places fell outside their control by the late 1830s. Although there were pockets of resistance to the Act throughout England, the pro-reform sympathies of many local elites and the middle classes had ensured its implementation. The Commission instructed that parishes form into unions, ideally around a market town or city, to provide a central union workhouse. These policies meant that the Act has been viewed by historians as detrimental to relief recipients and yet significant in the history of welfare provision. The Hammonds argued that the situation of the labouring classes had changed from bad to worse: they were ‘stripped of their ancient rights and their ancient possessions’ and were given ‘instead a universal system of pauperism’. The Victorian workhouse is the most reviled institution of the British working class, although it is now disappearing from living memory. At the same time, academics taking a longue durée perspective of the development of the modern welfare state have often heralded the Amendment Act as the most significant social policy of the nineteenth century. For the first time a central authority, albeit arguably a weak one, was responsible for overseeing poor relief provision.

**Context: southern England**

Behind the account of the poor laws provided above was a complex web of negotiations between and within central and local welfare authorities, and between welfare providers and recipients. This book unpicks these in order to expose the dynamism of pauper policies: how they emerged, were taken up, implemented and developed in the late eighteenth and early nineteenth centuries. Such a perspective requires a locality within which to examine these themes, therefore giving access not only to the typical records of governance used, but to local vestry and union minute books and a variety of other documents that did not come from administrative processes.
The geographical focus of the book is the agrarian counties of the south of England, namely Dorset, Hampshire, Somerset and Wiltshire (or Wessex) and the neighbouring area of West Sussex.32 There several reasons leading to this exact region, although the south of England in general has been selected for one main reason: it was the place that the Royal and then the Poor Law Commission hoped the Amendment Act would change the most. As one of the Assistant Poor Law Commissioners reported to the Commission in 1834, ‘pauperism … [is] influenced by uncertainty in employment, and the degree in which the population depend on their daily labour’.33 Snell’s comparison of male agricultural weekly rates of wages in the early nineteenth century demonstrates that wages had remained high and stable in the north of England compared to wages in the south. This maps onto King’s national study of poor relief provision that showed the southern and eastern regions of England provided more poor relief compared to the north and west. By the end of the eighteenth century allowances of 2–3 shillings per week were common, supplemented by an average of a further 30 per cent through payments in cash and kind. Elsewhere in England, an average of 2s per week was granted with other payments supplementing incomes by 10 to 20 per cent.34 Green argues that poor relief expenditure comparisons should be used with caution, not least as expenditure figures often included the costs of establishing and running workhouses.35 Nevertheless, the low wages and widespread unemployment experienced in the south of England necessarily meant that parish vestries in southern England had to provide more substantial amounts of relief to their parishioners.

Unfortunately our perspectives on southern England have been skewed by a disproportionate number of studies about the operation of the poor laws in the south-east, especially Kent, East Sussex and Essex. There is little mystery as to why this has been the case. Of the counties that experienced the most dramatic decline in wages, the majority were located within the south-east, where labourers were often ready to protest against their impoverishment.36 That the Swing Riots started, and were most intense, in Kent is no coincidence.37 King has made the point that there is ‘need for greater spatial balance and new perspectives on the character and role of poor relief outside the south-east’ to stress that more detailed studies of the north are needed.38 But this bias towards the south-east also suggests that poor
relief in the south-central and western counties also deserve to be explored. Indeed, the bias has caused problems in King’s own regional work because the south-east is the main source for the south in north-south comparisons, and Wessex straddles both the south and far west regions he creates, which receive the descriptions of ‘generous’ and ‘narrow and inflexible’ relief provision respectively.39

The Wessex and West Sussex area provide fresh ground as well as a diverse socio-economic context within which to examine the dynamics of pauper policies.40 Wessex had a varied rural economy, a result of the varied landscape, featuring the Quantocks and Mendips in Somerset to the west – cooler, more economically marginal landscapes from which to make a living – to the Blackmore Vale in Wessex’s centre – predominantly pasture and woodland – to the chalk arable lands of Wiltshire and Hampshire in the east. Wessex was therefore an area of mixed farming, including the production of corn and barley and the rearing of livestock, mainly cattle, sheep and pigs. Work in Wessex was created in the production of high-quality dairy foods, as well as wool that was turned into products such as broadcloth, cassimere (lighter twilled cloth), linsey (a cloth of linen and wool) and carpets within many of the small market towns in the region. These products were sold to buyers in the local vicinity as well as in large urban centres, such as Bristol and Salisbury, and transported to London. Glove-making (‘gloving’) and silk production were also very common employments in market towns stretching from south Somerset to Hampshire, and the production of cotton was common in several Somerset towns before a decline associated with the end of the East India Company’s monopoly. Wessex was rich in natural resources, with particularly the mining of coal in Somerset and stone in Dorset presenting employment opportunities. The proximity of waterways and the sea also brought work. Bridgwater thrived on building material production including glass, bricks, tiles and clay pipes; the latter were used to drain the Somerset Levels. Many coastal populations fished, or made boats and various sailing and fishing equipment. Not only was there local demand for such products, but coastal towns and villages, such as those in Dorset, exported vast quantities of sailing and fishing equipment as far as Newfoundland and the West Indies. In Hampshire, many places such as Gosport had similar trades, supplying the demands of the naval dockyard at Portsmouth. The towns and villages along Sussex’s coastline had similar industry, although the
landscape offered some further diversity of agriculture. The South Downs were suitable for mixed farming and sheep walks, and at their foot arable and livestock farming. The High and Low Weald also featured mixed farming and cattle and dairy farming, although the High also featured hop fields and orchards. Such crops offered many communities more autumnal work than they could undertake, and so temporarily attracted many families from further afield.

Despite what appears to be a bountiful array of employments, demand for labour in many of the manufacturing districts in Wessex and West Sussex declined by the 1830s and gaining subsistence from the boat-building and mining industries had become more marginal. Yet for the agricultural labourer the rot had already set in. From the late eighteenth-century labourers faced under- and unemployment, and wages that did not rise commensurately with the cost of grain. As Wilson writes, in Wiltshire families experienced ‘50 years of subsistence living and often actual hunger’, but this could be extended across the whole geographical focus in this book. Supplementing the household budget through the cottage industries had long been difficult. For instance, in Dorset the piecework women and children received in the north of the county in the production of the Dorset Button declined due to the manufacture of cheaper pearl buttons. In communities along the coast, including Bridport and Poole, Okeden reported to the Commission that ‘there is no employment for women and children but in the field’. He also reported that in Shaftesbury, a hill-top town with limited water supply before the mid nineteenth century, the poor carried water on their heads or on their horses. Perhaps such small tasks could still be gained, but the overall number of chances to supplement incomes was declining.

It is not surprising that the area was the inspiration for many poor law innovations, including the first Local Act establishing a ‘Corporation of the Poor’ in Bristol in 1696. But it was rural poverty in the late eighteenth and early nineteenth centuries that sparked the desire for reform of the poor laws amongst many members of the elite, including the third Lord Egremont, George O’Brien Wyndham, who resided at Petworth House in West Sussex. The west of Sussex witnessed a high concentration of large landowners who exerted, according to Verdon, ‘huge influence’ over the parishes of the county. Egremont was known for engaging in philanthropic activities throughout his life, and with 110,000 acres to his name he was keen to experiment
with new poor relief policies.\textsuperscript{47} He implemented an optional poor law called Gilbert’s Act (1782), which enabled him to establish workhouses for the vulnerable poor, in and around the parishes he controlled. This move was replicated in other parts of the county. The politician William Sturges Bourne served as a chairman on the Hampshire Quarter Sessions (1817–22) at exactly the same time as he chaired the Select Committee into the reform of the poor laws that resulted in the two enabling Acts of 1818 and 1819. New and powerful nineteenth-century organisations had connections in the region too, including the British Medical Association, which was established in 1832 with the name the Provincial Medical and Surgical Association. The Associated gave support to, and was supported by, several medical men in Somerset during a New Poor Law scandal, and thereafter became very active in national poor law reform. As such, there is no doubt that this region was a fertile ground of policy innovation, making it a suitable place to examine neglected aspects of the poor laws.

Through a series of thematic chapters, this book aims to expose the complicated nature of social policies under the poor laws. This book therefore presents not simply a description of the poor, policies and the government, but a lens through which to view the processes linking the poor, policies and the government. The book does this using a ‘policy process’ approach developed by social scientists, which allows for an understanding of the dynamism of policy, as well as identification and examination of distinct parts of the policy process. Essentially I have used it to highlight and examine aspects of the poor laws that have hitherto received little attention. As such the book does not directly follow the tide of recent research about individuals’ experiences of welfare receipt. Rather, it makes a case for the continued study of relief administration, in a way that at times must include the close reading of lived experiences. As the next chapter illustrates, when existing knowledge is examined from this perspective, it appears that significant parts of the history of the poor laws have been left unexamined. This has largely been due to several questions that have dominated poor law history: whether the architects of the Amendment Act were correct in their judgements of past welfare provision (i.e. the allowance system) and whether the centralised authorities were subsequently ‘successful’ in their implementation of the Amendment Act. Although studying these sorts of questions about the Amendment Act has resulted in very active debate and a multiplicity of new perspectives, their dominance of the field has somewhat overshadowed
other pauper policies and other dynamics of pauper policies, including those developed throughout the New Poor Law. A policy process lens reveals these areas, and this book seeks to address them in turn.

Before 1834 policy was based on the development and implementation of a series of permissive Acts. Chapters 2 and 3 will show how this process worked through an examination of the adoption and implementation of two sets of enabling Acts that have hitherto received little attention. The first is Thomas Gilbert’s Act of 1782 and the second Sturges Bourne’s Act of 1819. In both instances, it is shown that the adoption of both so-called ‘enabling’ Acts was far more common than has previously been considered. In addition, their application diverted from the initial intentions of their makers. Gilbert’s Act was passed with the intention that those parishes adopting it would place the ‘vulnerable’ sections of the poor within a workhouse and allocate employment and distribute outdoor relief to the able-bodied. The Act also had intended to promote industry and good morals amongst the poor, allowing parish officers to work the poor within the workhouse and embark on teaching programmes for children. Yet, as the eighteenth century drew to a close, and the pursuit of more economical modes of relieving the poor became ever more important, the Act was adapted in ways that could have actually contradicted Gilbert’s intentions. Sturges Bourne’s Acts permitted parishes to employ an assistant overseer, whose main tasks were inspecting the poor and distributing relief, and to appoint a select vestry to take charge of policy decisions and relief claimants. Whilst the retrenchment of relief provision was an inevitable consequence of the Act, the sheer variety of ways in which it was implemented is interesting. Sturges Bourne allowed parish officials to return to the clear-cut decision-making that had originated with the Elizabethan poor law – individuals were identified as either ‘deserving’ of poor relief, or not.

Chapter 4 takes a different angle. It sets out to develop an understanding of how social policies were disseminated between welfare officials. The first half demonstrates that, before the creation of the Poor Law Commission, there was no central welfare authority to suggest ways in which parishes could cope with the increasing demand on poor relief, resulting in parish officials seeking solutions from one another. The information they passed originated at a specific location, but it was presented and promoted as ‘best practice’. Knowledge was transferred between officials in a number of ways: they conducted
correspondence, went on trips to workhouses and published, read and referred to pamphlets detailing workhouse practice. Locally derived knowledge was not insignificant after the passage of the Amendment Act. The Commission was proactive in seeking local precedents and encouraging Boards of Guardians to adopt particularly beneficial practices. In addition, regardless of the presence of a central welfare authority, evidence can be found of officials continuing the tradition of conferring with one another, without the interference of the Commission. In short, the policy process was not constrained by parish boundaries before 1834, nor controlled by the Commission thereafter.

The penultimate chapter examines the role of welfare scandals in policy-making after the passage of the Amendment Act. The post-1834 relief system opened the policy-making process to a number of other stakeholders to express their own requirements from the relief system, such as the medical profession. These ‘stakeholders’, and notable ‘key actors’ from the anti-New Poor Law movement, shaped the direction of social policies during the early years of the New Poor Law, not the Commission alone. The existence of a central authority, to hold the local authorities to account, ensured that policies developed in ways that would resolve the problems happening within the unions. This meant that the experiences of the poorest played a role in the policy-making process when their voices were carried to the ears of authority. There was, essentially, a feedback mechanism between the policy implementation and policy evaluation and change stages of the policy process under the New Poor Law. Essentially, the creation of a centralised welfare authority brought with it centralised accountability for local relief administration.

This book demonstrates that social policies under the poor laws were not stable, stationary entities, simply appearing within the policy landscape. Rather, social policies were a myriad of laws and practices that were conceived and exchanged between those in positions of power. Social policies were also applied on the ground sporadically and multifariously, both converging and diverting from the initial intentions of their makers. And even those who appeared to lack any power, that is, individuals not in formal positions of authority, were still able to influence both the policy process and its outcomes. As such, in response to the recent trends in poor law literature, the administration of poor relief should not always be viewed as a system apart from welfare recipients’ experiences.
Notes

1  Ann Dunster to Mr Allen (Cannington), [no day or month] 1821, Cannington, Overseers’ Correspondence, SRO DnPCan13/13/6.
10 For the most comprehensive account of Swing, see C.J. Griffin, Rural War: Captain Swing and the Politics of Protest (Manchester, 2012).
14 Slack, The English Poor Law, p. 11.
19 43 Eliz. c.2, V.
23 Snell, Annals of the Labouring Poor, p. 27; Hobsbawm and Rudé, Captain Swing, p. 47.
24 Harris, Origins of the British Welfare State, p. 43.
30 Hammond and Hammond, *The Village Labourer*.
32 The Reform Act (1832) divided Sussex into the eastern and western portions, but only after the Local Government Act (1888, implemented in 1889) did East Sussex and West Sussex become two separate counties. The West Sussex area I refer to and use throughout this book relates to this nineteenth-century version of West Sussex, rather than the modern-day equivalent.
37 See Griffin, *Rural War*.


