Do Poor Laws Make Poor People?

[T]he more you degrade the workers...the more you throw them back...on the one pleasure...left to them—the gratification of their instinct for producing fresh supplies of men. You will applaud this instinct as divine until at last the excessive supply becomes a nuisance: there comes a plague of men; and you suddenly discover that the instinct is diabolic, and set up a cry of "over population."

The evolution of invisible-hand demographic discourse in classical British political economy, analyzed in the previous chapter, will be embedded here in the contemporaneous public policy debates over the shaping of the poor laws. The gravamen of Malthusianism's late eighteenth- and early nineteenth-century contribution was its attack on the changing socioeconomic function of this legislation: just at the time when local administrators "were distributing relief with a reckless extravagance, Malthus endowed the economists with arguments...to pass a wholesale condemnation upon the system of poor relief" for encouraging the poor to procreate faster than subsistence could be increased. Yet despite the fact that its "harsh attitude...towards the proletariat recommended Malthusianism to the middle class," the new economic-demographic learning did not officially assert itself until the enactment of the New Poor Law in 1834, which denied relief to the able-bodied unless they entered into workhouses. Underlying this historical lag was the momentous impact of the French Revolution: "the governing classes in general...were obsessed by the fear that an agrarian revolution might occur in England.... In their opinion the poor rate was an insurance against unrest; and they were prepared to pay an enormous premium to safeguard themselves against this terrible danger."2

The more human face of the turn-of-the-century poor law resulted from a new social division of labor which transferred some of its most repressive functions to other agents. Until the eighteenth century, the poor laws were, in the words of Sidney and Beatrice Webb, "designed not so much to relieve 'the poor'...as to restrain the demands of the manual workers from setting a higher price on their labour...and, by savage punishments, to discipline the whole propertyless class to the continuous and regular service, in agriculture and manufactures, of those who were becoming their masters." In the course of the Industrial Revolution, however, this "task of holding down the common people to their divinely appointed duty of continuous work for masters who should direct their operations was silently being transferred to the...new class of millowners...." While the coalescing capitalist mode of production suppressed the "loose and idle life" that the poor laws had sought to extirpate in previous centuries, "any attempted revolt against the dictatorship of the capitalist...was met by a ruthless application of the criminal law and the gaol, the penitentiary and transportation, supported...by...the troops." The poor laws, in contrast, to the Malthusians' chagrin, were reoriented toward providing bare subsistence to employed and infirm wage-laborers.³

In analyzing the relationship between poor laws and the size of the population or labor force, it is crucial to bear in mind that British authors and politicians in the late eighteenth and nineteenth centuries gave to the terms *the poor* and *poverty* meanings they no longer connote. The Poor Law Commissioners in 1834, for example, asserted that only in England had social policy deemed it fit to relieve more than mere "*indigence*, the state of a person unable to labour, or unable to obtain, in return for his labour, the means of subsistence." There, relief also applied to "*poverty*; that is, the state of one who, in order to obtain a mere subsistence, is forced to have recourse to labour." The poor were, then, identical with the working class.

An earlier influential characterization of poverty was more precise in focusing on that "condition in society where the individual has no surplus labour in store, and, consequently, no property but what is derived from the constant exercise of industry...; or in other words, it is the state of every one who must labour for subsistence. *Poverty* is therefore a most necessary and indispensable ingredient in society...the source of *wealth*, since...without a large proportion of poverty surplus labour could never be rendered productive...." Here Patrick Colquhoun, an economist, statistician, London magistrate, and acquaintance of Adam Smith, came close to defining the poor as the Marxist proletariat—that class of free but nevertheless compulsory working nonowners of the means of production that capital creates and that in turn creates capital. Indigence, in contrast, was for Colquhoun an evil—the "want, misery, and distress" associated with being "destitute of the means of subsistence" and unable to work to acquire them.⁵

Ironically, Malthusian poor-law policy makers also gave back to this class its original Roman meaning. Thus the Poor Law Commissioners, describing the laborer's position within the rates-in-aid-of-wages-cum-children's-allowance system that they were in the process of abolishing, observed that:

As a single man...his income does not exceed a bare subsistence; but he

has only to marry and it increases. Even then it is unequal to the support of a family; but it rises on the birth of every child. If his family is numerous, the parish becomes his principal paymaster; for, as small as the usual allowance of 2s. a head may be, yet when there are more than three children it generally exceeds the average wages...in a pauperized district. A man with a wife and six children, entitled...to have his wages made up to 16s. a week in a parish where the wages...do not exceed 10s. or 12s., is almost an irresponsible being. All the other classes of society are exposed to the vicissitudes of hope and fear; he alone has nothing to lose or to gain.⁶

This proletariat appears closely related to the poorest class of Roman citizens, whom the sixth-century Roman king, Servius Tullius, called proletarios, or offspring-givers, in analogy to the richest classes, whom he called assiduos, or tribute-givers. Servius, traditionally credited with having created a constitution that classified patricians' and plebeians' duties and rights according to their property, gave this name to those with the least or no property to indicate that from them offspring or "progeny of the state" were to be expected. This Roman proletariat bore a certain resemblance to what Marx called "a merely pullulating proletariat," which arose in England under the old poor laws in the latter part of the eighteenth century.8 As William Forster Lloyd, looking back as the New Poor Law was enacted. described the mentality that underwrote the old system: since population constituted the wealth of the state, those who staffed manufactories and armies with their superfluous progeny should be supported; to provide that support through the wage system, however, would indifferently raise the income of the single, granting them "unparalleled extravagance"; in order to avoid such waste, wages were reduced to the subsistence level of an unmarried man, and procreational subsidies were granted in the form of poor-rate allowances. Thus the great functional difference between the Roman and Malthusian English proletariats lay in the fact that the Roman state wanted this human output whereas the British ruling classes and their state were seeking under the aegis of the New Poor Law to terminate proletarian fertility rights that were allegedly financed by a drag on capital accumulation. Children constituted the poor-law proletariat's capital—a private financial benefit that the advocates of the New Poor Law regarded as a public demographic vice.

Malthus's most pregnant demographic policy claim culminated in the assertion that England's poor laws, by animating the poor, who would otherwise have been unable to support a family based on their market-given wages, to marry and procreate, "create the poor which they maintain...." He saw the same consequence as resulting from private efforts by farmers to keep wages down during periods of high corn prices by paying their laborers children's allowances: once workers were reconciled to a system in which the connection between wages and means of family support was severed, population might increase rapidly.¹⁰ The chief relief provided by the allowance system may in fact have been to the employing farmers themselves, who succeeded in securing significant wage

subsidies by shifting the tax burden to "the wrong people"—those parish inhabitants who employed fewer or no laborers at all and therefore did not directly benefit from the payments. Malthus implicitly accepted an argument, later articulated by demographers, that dismantling the poor-law family-allowance system and forcing couples to reinternalize the costs of their procreativity powerfully promoted the application of economic rationality to reproductive behavior. This linkage also prompted Polanyi to characterize the New Poor Law as "the starting point of modern capitalism." To the extent, however, that for some time after the introduction of the New Poor Law in 1834 child labor remained a mainstay—if no longer the foundation—of British industry, adult workers may have been engaged in economically rational behavior par excellence in regarding procreation as the most "profitable investment" with the fastest payback period available to them.¹¹

In describing the genesis of the parish rates in aid of wages during the period of scarcity in the latter half of the 1790s, when prices rose much faster than wages and continued to outpace them for 20 years, ¹² one of the commissioners who fashioned the New Poor Law of 1834 pointed to three related material and legitimational advantages accruing to the ruling classes. First, such payments enabled employers to avoid a higher wage level during the postscarcity period; second, the possibility of working-class unrest would be diminished; and third, the recipients would become ideologically accepting of the entire political-economic regime:

It was apprehended...that either...wages...would rise to a height from which it would be difficult to reduce them when the cause for it had ceased, or that during the high prices the labourers might have to undergo privations to which it would be unsafe to expose them. To meet the emergency of the time, various schemes are said to have been adopted, such as weekly distributions of flour...until at length the practice became general, and a right distinctly admitted by the magistrates was claimed by the labourer to parish relief, on the ground of inadequate wages and number in family. [T]he consequences of the system were not wholly unforeseen at the time, as affording a probable inducement to early marriages and large families; but at this period there was but little apprehension on that ground. A prevalent opinion, supported by high authority, that population was in itself a source of wealth, precluded all alarm. [I]t was deemed wise by many persons...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.13

Despite these manifest benefits, the propertied classes in the opening quarter of the nineteenth century rebelled against what they deemed the stupendous cost of the poor law. The fall of agricultural prices after the French wars and the ensuing bankruptcies and decline in landlords' rents made the tax burden much

more painful to the rural propertied classes. Although Malthus was correct in observing that employers "would gain much more by the cheapness of labour, than they would lose by the payment of their rates," such a redistributive effect was not speculatively conditioned on a new statutory expansion of the rate-payer base, but had always obtained in the rural parishes. At their high point in 1818, these local rates amounted to £8 million and rivaled the total civil expenditures of the national government. Because this tax burden fell not only or even chiefly on the subsidized agricultural employers but on all people with holdings in rural parishes, those bearing this unequal tax burden viewed it as crushing. But even these sums, representing the totality of public services available to wage earners, who accounted for the vast majority of the British population, constituted only 2 percent of the vastly expanded national income—"but a modest premium against a social revolution." ¹⁴

The toleration of relief expenditures was powerfully bolstered by a transformation toward the end of the eighteenth century in the ruling classes' attitude toward the functionality of a large impoverished population. As accumulated capital in new industries insatiably absorbed increasing numbers of proletarians and permanent war demanded a huge volume and never-ending streams of soldiers and sailors, "the poverty of the poor, and even the prevalence of destitution...[was] no longer...regarded as dangerous to the State, or even objectionable as a common nuisance, but actually as a condition, if not a direct cause, of the vast increase in national wealth...." But after the conclusion of the Napoleonic wars in 1815 and the evaporation of the "fabulous profits" in agriculture, when the ensuing depression brought on large-scale unemployment, agitation in opposition to the poor-law system intensified.¹⁵

Mark Blaug, a leading debunker of the Poor Law Commissioners' 1834 account of the previous system, characterizes the Old Poor Law as a miniature welfare state that sought to maintain a living wage for agricultural workers by means of cost-of-living adjustments, unemployment compensation, a private employment scheme, and family allowances. He takes to task critics of the Old Poor Law such as the Hammonds and Webbs for having failed to realize that their attacks would apply as well to modern welfare legislation because the statutory minimum wage and children's allowances that they proposed as an alternative are the functional equivalent of the Old Poor Law. Blaug argues that family allowances, which antedated the Speenhamland system perhaps by as much as a century, did not inspire the same intense contemporary controversy as Speenhamland's innovation of publicly subsidizing real wages at a minimumexistence level (based on the price of bread and family size); he also charges the Poor Law Commissioners with intentional obfuscation of the difference, especially since the minimum wage subsidies had largely disappeared by 1834. Blaug is also skeptical of the demographic prejudices of "a generation drunk on Malthusian wine," which divined an inexorable pronatalist impact of children's allowances despite the fact that they were modest, rose less than proportionately with each additional child, were continually scaled back, and in many parishes did not kick

in until after the family already had one, two, three, or even seven children. The reason that Parliament rejected a minimum wage as the alternative to the Speenhamland system in 1795, according to Blaug, was the same one that has plagued minimum-wage debates ever since: to the extent that agricultural wage levels fell short of the Speenhamland real-wage minimum during the Napoleonic wars when famine prices were high, if a statutory minimum wage had been differentiated according to family size, it would have generated a wage considerably in excess of the market level.¹⁶

Blaug's claim that the Hammonds and Webbs did not understand that twentieth-century minimum wages and family allowances performed the same function as the Speenhamland system fails to do justice to the Hammonds as authors of a epoch-making context-sensitive social history that took great pains to explain the enormous consequences in terms of legitimation and consciousness even in the early 1800s between the proposed mandatory minimum wage and Speenhamland:

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.... The richer classes...were naturally anxious to...pacify the poor before discontent spread...and the Speenhamland system turned out...a very admirable means...for it provided a maintenance for the poor by a method which sapped their spirit and disarmed their independence.... The Speenhamland system after 1812 was not applied so as to maintain an equilibrium between the income and expenditure of the labourer: it was applied to maintain an equilibrium between social forces. The scale fell not with the fall of prices to the labourer, but with the fall of profits to the possessing classes. The minimum was not the minimum on which the labourer could live, but the minimum below which rebellion was certain. This was the way in which wages found their own level. They gravitated lower and lower with the growing weakness of the wage-earner.... There is another respect in which the minimum wage policy would have profoundly altered the character of village society. It would have given the village labourers a bond of union before they had lost the memories and the habits of their more independent life; it would have made them an organised force, something like the organised forces that have built up a standard of life for industrial workmen.¹⁷

The rational kernel in Blaug's charge is that market-incentive fanatics of both centuries have opposed both systems' goal of maintaining a fixed standard of living despite the economic vicissitudes as "contrary to the ruling of providence." The existence of such a security system was emblematic of the contradictory demands of the masters of the transition from precapitalist to capitalist society in rural England. Nobles, squires, and farmers wanted to combine some of the elements of capitalist labor market determination of wages by reference to supply and demand with traditional paternalistic sustenance of the poor, who were granted

a right to live as a means of warding off mass unrest during famines. Because the agrarian ruling classes, in an effort to retain their old powers, sought to modify capitalism by reconciling it with an inherently antagonistic social policy, workers wound up with the worst of both systems—especially by the end of the Old Poor Law period, when, in terms of the Speenhamland system's scale of loaves of bread, a family of four would have found its standard of living one-third lower than at the outset in 1795¹⁹:

Agrarian capitalism degenerated into a general lunacy, in which farmers were encouraged to pay as little as they could...and used the mass of pauper labour as an excuse for not raising their productivity; while their most rational calculations would be, how to get the maximum subsidy for their wage-bill from the rest of the ratepayers. conversely, were encouraged to do as little work as they possibly could, since nothing would get them more than the official minimum of subsistence.... It is difficult to find words for the degradation which the coming of industrial society brought to...English country labourer[s].... They lost what little traditional right and security they had, and gained not even the the theoretical hope which capitalism held out to the urban labourer, the legal equality of rights in the liberal society.... They and they alone paid for the failure of British rural society to combine tradition and capitalism, for they got the benefits of neither. Stretched on the rack between the pauperisation of a caricatured market economy and the social oppression of those who grew rich from it, they lacked even the only real resource of the British labouring poor, the capacity to organise themselves a class and to fight collectively as such.²⁰

That children's allowances, despite their association with repressive poorlaw relief, still found favor with potential recipients was suggested by the fact that several years before the Speenhamland system was inaugurated, Tom Paine proposed in his *Rights of Man* that the British state provide a quarter-million families with £4 annually for each child under 14 years of age.²¹

The intensified impoverishment of the mid-1790s also catapulted onto the social policy agenda plans and parliamentary bills for minimum wage regulation. One of the chief arguments summoned against it was that its egalitarianism undermined the incentives that inequality promoted. A more specific subargument has survived two centuries of debate: by disregarding the unequal needs of workers with and without dependents, a fixed minimum high enough to support a family would lead a single man to indolence. Thus in 1795 the Whig Samuel Whitbread presented a bill in the House of Commons empowering justices of the peace to regulate the wages of laborers in husbandry "Respect being had to the Value of Money, and the Plenty or Scarcity of the Time...." During the bill's second reading in 1796, Whitbread, making his obeisances to the shibboleths of upsurging laissez-faire political economy, made a point of announcing that he was second to no man in desiring legislative noninterference so "that the price of labour, like every other commodity, should be left to find its own level." Unfortunately, however, "the

deductions of reason were confuted by experience," which revealed that laborers' wages fell below subsistence level not only during periods of scarcity.²²

Pitt, the Tory Prime Minister, led the debate against the bill by charging that Whitbread's proposal suffered from over- and underbreadth, which rendered it unequal to the task of remedying the hardships of the "class of the labouring poor":

As there was a difference in the numbers which compose the families of the labouring poor, it must necessarily require more to support a small family. Now by the regulations proposed, either the man with a small family would have too much wages, or the man with a large family, who had done most service to his country, would have too little. So that were the minimum fixed upon the standard of a large family, it might operate as an encouragement to idleness on one part of the community; and if it were fixed on the standard of a small family, those would not enjoy the benefit of it for whose relief it was intended.²³

Sidetracking Whitbread's initiative by trumping it, Pitt placed "before the House the ideas floating in his mind, though not digested with sufficient accuracy, nor arranged with a proper degree of clearness":

Let us...make relief in cases where there are a number of children, a matter of right and an honour, instead of a ground for opprobrium and contempt. This will make a large family a blessing, and not a curse; and this will draw a proper line of distinction between those are able to provide for themselves by their labour, and those who, after having enriched their country with a number of children, have a claim upon its assistance for their support.²⁴

To be sure, Pitt's proposal seemed to afford such families employment—especially for the children, whose early engagement in manufacturing had contributed so heavily to the country's "opulence." Unable to deny the potential merits of Pitt's counterproposal, Whitbread, who urged immediate institution of "a liberal premium for the encouragement of large families," contented himself with arguing that until any such regime was implemented, his bill remained an effective temporary expedient. Another member of Commons, General Smith, went even beyond Whitbread in criticizing Pitt's claim that the price of labor, like any other commodity's, had to be left to find its own level; Smith observed that "labour does not resemble any other commodity; it is frequently attached to a particular situation, and cannot be exported to foreign ports." The House of Commons, however, disagreed, and the bill died.²⁵

Later the same year, Pitt brought in his bill, but the Commons never even discussed it. As promised, Pitt would have conferred a right to children's allowances on poor parents—fathers with more than two children under the age of five years and widows with more than one such child. The entitlement was, to be sure, subject to a major condition—that the parents send their children five years

of age and older to "schools of industry...to be instructed and employed in such business as shall be suited to the[ir] age and strength" unless the poor law authorities directed them to be employed in the parents' house. Although Pitt's bill received little support, its child labor provisions, adopted from John Locke's proposal of exactly a century earlier, found even more radical parliamentary imitators two decades later.²⁶

In 1800, Whitbread tried to revive his minimum wage bill. In order to allay potential opponents' fears, he emphasized that he did not wish the poor to be "overpaid" and that the magistrates would be merely empowered, not required, to "do justice to the poor": during hard times the law would lie dormant. Pitt adhered to the grounds of opposition that he had staked out in 1796: on the one hand, laissez-faire should be permitted to confer its benefits; on the other hand, a minimum wage was inefficacious because it set one standard without taking into account whether a man was married or had a large family to support. Unlike Pitt's previous criticisms, this rejoinder was unaccompanied by his own family allowance plan because too many people he respected had objected to it. Whitbread's restrained rebuttal was cogent—only unions enabled the price of labor to find its own level but the Combination Laws thwarted such efforts—but his bill died again.²⁷

Emblematic of the ideological sea change that had taken place during the intervening decade, the influence of the complex of demographic phenomena associated with Malthus had assumed such stature that, by the time Whitbread presented a bill to reform the Poor Law in 1807, he felt obligated to make his obeisances to them as he had to Smithian laissez-faire. Bestowing on Malthus the title of "philosopher," Whitbread accepted Malthus's principles as "incontrovertible," but as with Smith, found reality irreconcilable with his conclusions.²⁸

The next wave of opposition to the Poor Laws was generated at the end of the Napoleonic wars, when England faced an economic crisis that the manufacturer-socialist Robert Owen in 1817 conceptualized as capitalist over-production and class maldistribution of income that flatly refuted Malthusianism. Before those hostilities, according to Owen, the United Kingdom had carried on its production with 5.5 million workers and comparatively little machinery. The mechanization resulting from the new scope and types of wartime demand meant that at the conclusion of hostilities 6 million workers produced what earlier would have required 150 million. But because the power of consumption failed to keep pace with this extraordinary increase in production and mechanical power proved to be cheaper than human labor, lower wages, unemployment, and misery ensued.²⁹

In response to landowners' complaints that they bore a disproportonate share of the poor rates whereas large manufacturers, who were exempt from the tax, contributed to that burden by discharging many of their employees and thus throwing them on to the parish rolls, Parliament created a committee to investigate the possibilities for poor-law reform. In addition to proposing legislation (that was enacted) to strengthen landowners' control over the administration of the local relief apparatus, the committee urged reinvigoration of the rigors of the Elizabethan

poor law excluding the able-bodied who were not involuntarily unemployed. Starting from the Malthusian proposition that "when the public undertakes to maintain all who may be born, without charge to the parents, the number born will probably be greater than in the natural state," the committee drew its inspiration from the scheme that John Locke had submitted to the Board of Trade as a commissioner in 1697 in response to the King's request for proposals to promote employment of the poor and to spare taxpayers the expense of supporting them.³⁰

In "this appalling document," which was rejected, Locke, asserting that the "multiplying of the Poor" was not the result of a lack of employment, concluded that the first step had to be restraint of the poor's "debauchery." Among these debauchees, Locke focused on the majority, who were neither absolutely unable nor wholly unwilling to support themselves, but either lacked the appropriate work or skills to gain a livelihood. This group, in turn, consisted of adults "decayed from their full strength" and "the wives of day labourers, when they come to have two or three or more children: the looking after their children gives them not liberty to...seek for work; and so having no work at home, in the broken intervals of their time they earn nothing." 31

In a shrewd move to kill two pauper-debauchees with one poor-law reform, Locke proposed catapulting mothers into profit-generating employment by relieving them of some of their maternal chores. Here Locke was able to accommodate his plan to the century-old Elizabethan antivagabondage poor law, which had instructed the overseers of the poor to "take order from tyme to tyme...for settinge to worke of the children of all suche whose parentes shall not...be thoughte able to keepe and maintaine their children...." For in addition to the adults who "have numerous families of children, whom they cannot, or pretend they cannot, support by their labour," their children, too, represented a burden to the parish because they were "maintained in idleness; so that their labour...is generally lost to the publick till they are...fourteen years old." Locke therefore proposed mandatory employment in "working schools" for woollen manufacture of all children between the ages of three and fourteen of relief-seeking parents. For this arrangement Locke held out the prospect of the fulfillment of two social desiderata that continue to excite capitalist welfare ideologues three centuries later: "the mother will...be at more liberty to work; the children will...from their infancy be inured to work, which is of no small consequence to the making of them sober and industrious all their lives after...."32 Because Locke calculated that such children would in effect finance their own support, he foresaw an enormous cumulative saving for the rate payers:

[A] man and his wife...may be able by their ordinary labour to maintain themselves and two children. More than two children at one time, under the age of three years, will seldom happen in one family: if, therefore, all the children above three years old be taken off from their hands, those who have never so many...will not need any allowance for them.³³

In 1817 the Poor Law Committee dared tread where even Locke had feared to go: it recommended that the children of those poor who could not maintain them be taken away from their parents and be lodged at their place of employment. This forcible separation would not only eliminate relief payments for parents on account of such children, but would also constitute "the only remedy for that practice which has prevailed in the south of England particularly, of defraying what should be part of the wages of labour out of the poor rates, according to an uniform scale...without reference to any other consideration than the numbers of the family..., and the amount of their...earnings, and the price of bread." The committee chairman, Sturges Bourne, urged the House of Commons to use the opportunity to eliminate the "abominable...practice" of forcing rate-payers such as shopkeepers to subsidize other employers' wage bill.³⁴

In the course of the parliamentary debates, opposition to the child removal clause derived from two different considerations. In the House of Commons, members focused on the perverse incentives. In his first year as a Member of Parliament, the political economist David Ricardo, a Malthusian convert, expressed the belief that the reform would exacerbate the evil of a redundant poor population when this generation of children grew up by assuring parents of the labouring classes "that an asylum would be provided for their children, in which they would be treated with humanity and tenderness." Despite confusing a juvenile workhouse with an emotional oasis, Ricardo was concerned that the measure would fail to have the effect of raising the wage level sufficiently to enable a man to support a family. Another Malthusian MP, John Curwen, a Whig spokesman on social policy, developed this line of thought by asserting that the "cruel and impolitic system of making wages that will barely support the single man the standard of labour," by making it impossible for him to save toward a family, merely served to remove any incentive to delay the inevitable acts of procreation and insured that they would result in pauperization. The House of Lords, which rejected the clause, was more apprehensive lest consigning paupers' children to the workhouse "weaken those social feelings on which the very strength and consistency of society depended."35

At the time of this public debate over the Poor Laws, Ricardo conducted a private one with Hutches Trower, who had retired from the stock exchange to become a country gentleman.³⁶ Trower initiated the discussion by dividing the poor into two classes—those who were single and those who were married (the assumption being that they coincided with the childless and parents respectively). For the latter, he conceded (as did Malthus), the wage rate

no doubt is inadequate, and ought to be encreased. But for the 1st it is *more than sufficient*. This surplus, if prudently preserved, could form a *fund* for the supply of future extra demands, but it is all idly spent—as long, therefore, as this want of foresight exists any further encrease of wages to the *single man* would be productive of *mischief* instead of *good*. But you cannot encrease the wages of the *married*, without also encreasing those of the *single*, it is not practicable to make any distinction between them.

Trower therefore concluded that single workers had to learn "prudence and economy" because: "It is obvious, that it would be impossible to establish the rate of wages at such a sum as will be adequate to the support of a man and his family. Nor would it be expedient if it were—for it it would be tantamount to giving a Bonus to the extravagance and profligacy of the single." In Trower's part of the country, the single workers, if given wages adequate to support a family of four, would receive twice what they required—a situation "productive of most mischievous results."³⁷

Ricardo's pointed response stressed the primacy of establishing the background conditions for the commodification of labor as a prerequisite to avoiding production of an unemployable supply of laborers inconsistent with the fiscal capacities of the British state and the continued profitability of the employing class:

Is it not desirable that the poor laws should be done away, and the labouring classes should receive the recompense for their labour in the shape of wages than in that of bounty? If you answer in the affirmative then there is no way of preventing the single man from receiving more than is sufficient for his support, and I can see no reason to regret it. When the wages of a married man with a family are barely adequate to his own and his family's maintenance, the wages of the single man may be ample. All this I admit, but if it is a necessary consequence of the abolition of the poor laws it must be acquiesced in under the circumstances of an abolition. Even if it were an evil, which I think it is not, it must be endured for the sake of the good which would accompany it.... The population can only be repressed by diminishing the encouragement to its excessive increase,—by leaving contracts between the poor and their employers perfectly free, which would limit the quantity of labour in the market to the effective demand for it. By engaging to feed all who may require food you in some measure create an unlimited demand for human beings, and if it were not for the bad administration of the poor laws...the population and the rates would go on increasing in a regular progression till the rich were reduced to poverty, and till there would no longer be any distinction of ranks.³⁸

A year later Ricardo reiterated to Trower that "the labouring classes" had to be taught to "provide for those casualties to which they are exposed from occasional variations in the demand for particular manufactured goods" rather than relying on the state to do it for them in the form of poor laws. In light of Ricardo's dismal view of wages, his assertion as to how workers should be able to tide themselves over during periods of redundancy is both touching and fantastic: "A man's wage should, and would on a really good system, be sufficient not only to maintain himself and family when he is in full work, but also to enable him to lay up a provision in a Savings Bank for those extraordinary calls...."

As an MP, Ricardo sharpened his position in openly Malthusian fashion in a speech in 1823 on the occasion of a petition by superannuated manual weavers.

He urged the need

to inculcate this truth in the minds of the working classes—that the value of labour, like the value of other things, depended on the relative proportion of supply and demand. If the supply of labour were greater than could be employed, then the people must be miserable. But the people had the remedy in their own hands. A little forethought, a little prudence (which probably they would exert, if they were not made such machines of by the poor-laws), a little of that caution which the better educated felt it necessary to use, would enable them to improve their situation.⁴⁰

Given Ricardo's squeamishness with regard to public discussion of sex—he had chastised James Mill for using the word "procreation" in his *Elements of Political Economy*—it seems implausible that his claim that workers had a remedy to the problem of overpopulation "in their own hands" was intended as a scriptural reference to the method of contraception associated with Onan. The trope, however, was contagious among political economists, who continued to assert that workers' economically irrational procreational behavior was to blame for their low wages. As Johann Heinrich von Thünen observed in midcentury, whereas the middle and upper classes postponed marriage until their position was secure enough to give their children a good education, for the worker marriage was more attractive than the prospect of misery: "To him it is enough to raise his children merely physically."⁴¹

The year following enactment of the New Poor Law, the commissioners were quick to praise the effects of the abolition of allowances in aid of wages. The pauperized worker found it "to his interest to make it worth the while of the employer to retain him in employment, not by offering his labour for reduced wages, but usually by offering to earn, by increased diligence, an increase of wages proportionate to the discontinued allowance." The employer, in turn, was gratified that his worker now regarded him rather than the parish as his master. And perhaps the most pertinent "moral result" in the present demographic context was that "in the dispauperized districts...the venal and improvident marriages, which were consequent upon the allowance system, have immediately been diminished."⁴²

The economist Nassau Senior, one of the authors of the Poor Law Report, asserted the next year that in advanced civilizations such as Britain fertility was not impeded by a fear of a lack of necessaries because the danger of actually perishing from indigence was too remote: "When an Englishman stands hesitating between love and prudence, a family actually starving is not among his terrors; against actual want he knows that he has the fence of the poor-laws." After Senior had made his contribution to reinstating *in terrorem* antinatalism among the proletariat by abolishing outdoor relief for the able-bodied, he could turn his attention to the petty bourgeois, whom he transformed into Everyman. Sounding a theme that continues to resonate among social scientists, Senior correctly counted on such men's self-restraint when faced with the recognition that their income was

insufficient to finance the reproduction of their own educational attainment for all their (male) children. Thus what deterred these men from procreating was the fear of losing "caste" or the hope of acquiring "decencies which give a higher rank."⁴³

The triumphant incorporation of Malthusianism into the New Poor Law may have been superfluous. For contrary to the belief of many—including Friedrich Engels, who argued in the 1840s that the English workers' "errors" could all be traced back to the dissoluteness and inability to defer gratification that flowed from the animal-like existence to which the bourgeoisie had reduced them—that the old poor laws had promoted an increase in the "superfluous" population, that causality has long been challenged. Even the 1821 British census, which asserted that the poor laws encouraged marriage in order to obtain tax-paid allowances in England, conceded that the rate of population increase was almost as great in Scotland, which lacked a poor-law regime—and was even greater in Ireland, which lacked a poor law altogether.

More recent scholarly reconstructions of the impact of the allowance system under the Old Poor Law, which seek to go behind the cavalier assertions of the poor law officers and reformers, have found that the virtually axiomatically held Malthusian belief should be inverted: instead of having triggered a demographic explosion, allowances merely represented a reaction to the surplus labor phenomena associated with rising population at the turn of the century and the depressed agriculture in the post-Napoleonic era. And earlier scholarly studies, in part inspired by the desire to galvanize support for the introduction of a family endowment in Britain by showing that it would not prompt an avalanche of births among low-income recipients, had compared parishes with and without the allowance system, and concluded that Malthus and his anti-poor law allies had incorrectly gauged the impact of the allowance system on fertility. Rather than having promoted procreation, the payments either had no effect whatever or at best created the impression of having increased population by virtue of having depressed mortality.

NOTES

- 1. G. Bernard Shaw, "The Basis of Socialism," in *Fabian Essays in Socialism* 15-45 at 36 (G. Bernard Shaw ed., n.d. [1889]).
- 2. Elie Halévy, 1 *A History of the English People: England in 1815*, at 573, 379 (tr. E. Watkin & D. Barker, 1961 [1913]).
- 3. Sidney Webb & Beatrice Webb, 7 English Local Government: English Poor Law History, Pt. I: The Old Poor Law 420-23 (1927).
- 4. The Poor Law Report of 1834, at 334 (S. G. Checkland & E. O. A. Checkland ed., 1974 [1834]).
 - 5. Patrick Colquhoun, A Treatise on Indigence 7-8 (1806).
 - 6. The Poor Law Report of 1834 at 132-33.

- 7. Cicero, *De re publica*, 2, 22, 40. Engels said that regardless of whether the bourgeoisie practiced birth control, he remained of the opinion that "our proletarians...will honor their name by means of numerous proles." Letter of Feb. 10, 1883 to Karl Kautsky, in Karl Marx [&] Friedrich Engels, *Werke* 35:431, 432 (1967). For another view of the origins, see Arthur Rosenberg, *Untersuchungen zur römischen Zenturienverfassung* 40-43 (1911).
- 8. Karl Marx, Zur Kritik der politischen Ökonomie (Manuskript 1861-1863), in Karl Marx [&] Friedrich Engels, Gesamtausgabe (MEGA) 1l/3.3:1198 (1978). Hardin erroneously states that Marx ignored the etymologically suggested "ancient hypothesis about the source of poverty." Garrett Hardin, Exploring New Ethics for Survival: The Voyage of the Spaceship Beagle 55 (1972).
- 9. W.F. Lloyd, Four Lectures on Poor-Laws, in William Forster Lloyd, Lectures on Population, Value, Poor-Laws and Rent 2-4 (1968 [1835]).
- 10. Thomas Robert Malthus, *An Essay on the Principle of Population* (7th ed.), in *idem, On Population* 366 (Gertrude Himmelfarb ed., 1960 [1872]) (quote); *idem, Principles of Political Economy* 259 (1820).
- 11. G. Talbot Griffith, *Population Problems of the Age of Malthus* 145-46 (1926) (quote); R. M. Smith, "Transfer Incomes, Risk and Security: The Roles of the Family and the Collectivity in Recent Theories of Fertility Change," in *The State of Population Theory: Forward from Malthus* 188-211 at 205 (David Coleman & Roger Schofield eds., 1986); Karl Polanyi, *The Great Transformation* 80 (1971 [1944]); J. L. Hammond & Barbara Hammond, *The Town Labourer* 1760-1832: *The New Civilisation* 144 (1919 [1917]); Griffith, *Population Problems* at 101-106 (quote).
- 12. J. D. Chambers & G. E. Mingay, *The Agricultural Revolution 1750-1880*, at 114-19 (1984 [1966]).
- 13. Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws: Appendix (A.): Reports of the Assistant Commissioners, Part II, at 14a (1834) (C. P. Villiers).
- 14. Chambers & Mingay, Agricultural Revolution at 121; T. R. Malthus, A Letter to Samuel Whitbread, Esq. M.P. on His Proposed Bill for the Amendment of the Poor Laws, in The Works of Thomas Robert Malthus 4:1, 11-12 (1986 [1807]) (quote); Sidney Webb & Beatrice Webb, English Poor Law History: Part II: The Last Hundred Years 1-3, 7 (1963 [1929]) (quote at 7).
- 15. Webb & Webb, English Poor Law History, Part II: The Last Hundred Years at 8 (quote); J. L. Hammond & Barbara Hammond, The Village Labourer 1760-1832: A Study in the Government of England before the Reform Bill 166 (1919 [1911]) (quote).
- 16. Mark Blaug, "The Poor Law Report Reexamined," *J. Econ. Hist.* 24 (2):229-45 at 229, 231-32 (June 1964); *idem*, "The Myth of the Old Poor Law and the Making of the New," *J. Econ. Hist.* 23 (2):151-84 at 152, 153, 160-61 (June 1963); Raymond Cowherd, *Political Economists and the English Poor Laws: A Historical Study of the Influence of Classical Economics on the Formation of Social Welfare Policy* 138-39, 187 (1977).
 - 17. Hammond & Hammond, The Village Labourer at 165, 169, 236-37.
- 18. George Nicholls, A History of the English Poor Law 2:132 (2d ed. 1898 [1854]).
 - 19. Hammond & Hammond, The Village Labourer at 184-85.
- 20. Eric Hobsbawm & George Rudé, *Captain Swing* 51-52 (1975 [1968]). Hobsbawm and Rudé overdraw their point concerning the free labor market inasmuch as the residential conditions attached to poor-law relief riveted workers to their locality and made it "madness…to venture anywhere else." *Ibid.* at 50.

- 21. Tom Paine, *The Rights of Man*, in *The Selected Work of Tom Paine* 263-64 (Howard Fast ed., 1946 [1792]).
- 22. J. R. Poynter, Society and Pauperism: English Ideas on Poor Relief, 1795-1834, at 48-52 (1969); Bill No. 4573, House of Commons, Parliamentary Papers, 1795-96 (Dec. 9, 1795); The Parliamentary History of England 1795-1797, 32:703 (1818) (Feb. 12, 1796). See generally Dean Rapp, Samuel Whitbread (1764-1815): A Social and Political Study 210-31 (1987).
- 23. Parliamentary History of England 32:705, 709. David McNally, Against the Market: Political Economy, Market Socialism and the Marxist Critique 73 (1993), skews the texture of the debate by emphasizing that Pitt used the language of political economy against Whitbread: the latter used the same language, whereas Pitt also proposed state intervention. McNally may have been misled by the secondary sources he cites in lieu of the parliamentary debates. Because no reporters took notes in Parliament during this period, in the absence of an official version, published accounts varied.
 - 24. Parliamentary History of England 32:709-10.
- 25. Ibid. at 32:710 (quote); The Parliamentary Register 44:33 (1796) (quote); Parliamentary History of England 32:714-15.
- 26. § XXXVII, reprinted in Frederic Eden, The State of the Poor 3:cccxiii, cccxix (1965 [1797]) (quote); Webb & Webb, English Poor Law History at 34-39. The section on children's allowances of Bentham's privately circulated critique of the bill was jejune. Jeremy Bentham, "Observations on the Poor Bill," in The Works of Jeremy Bentham 440-61 at 444-46 (John Bowring ed., 1843 1797]).
- 27. The Parliamentary History of England: 1798-1800, 34:1426-30 (Feb. 11, 1800).
- 28. Cowherd, Political Economists and the English Poor Laws at 28-29; Cobbett's Parliamentary Debates 8:869 (1807) (quote).
- 29. Robert Owen, Address delivered at the City of London Tavern, in idem, A New View of Society and Other Writings 208-20 at 210-11 (1949 [1817]); idem, Report to the Committee for the Relief of the Manufacturing Poor, in ibid., 156-69 at 157-58 (1817). For estimates showing an even greater advance in productivity, see idem, "Two Memorials on behalf of the Working Classes," in A Supplementary Appendix to the First Volume of the Life of Robert Owen 205-22 at 213-15 (1967 [1818).
- 30. Elie Halévy, 2 A History of the English People in the Nineteenth Century: The Liberal Awakening 1815-1830, at 40-46 (tr. E. Watkin, 1961 [1923]); Report from the Select Committee of the House of Commons appointed to consider of the Poor Laws, reprinted in Annual Register for the Year 1817, at 263-302 at 272 (1818 [1817]) (quote).
- 31. Maurice Cranston, John Locke: A Biography 425 (1957) (quote); H.R. Fox Bourne, The Life of John Locke 2:392-93 (1876); John Locke, Report of the Board of Trade to the Lords Justices in the Year 1697, respecting the Relief and Employment of the Poor, in An Account of the Origin, Proceedings, and Intentions of the Society for the Promotion of Industry in the Southern District of the Parts of Lindsey, in the County of Lincoln 99-126 at 101-102, 110 (3d ed., 1789) (quote). Locke's report is also reprinted in Bourne, Life of John Locke at 2:377-91. Locke's scheme was apparently never published or included in any edition of his collected works.
- 32. An Acte for the Releife of the Poore, 43 Eliz., ch. 2 (1601) (quote); Locke, Report of the Board of Trade at 103, 112-13 (quote).
 - 33. Locke, Report of the Board of Trade at 113.
- 34. Report from the Select Committee...to consider of the Poor Laws at 282 (quote); Parliamentary Debates (Hansard) 37:1056 (Mar. 12, 1818) (quote).

- 35. Parliamentary Debates (Hansard) 40:470 (May 17, 1819); The Works and Correspondence of David Ricardo 5:1 (Pierro Sraffa ed., 1952 [Mar. 25, 1819]) (quote); Parliamentary Debates (Hansard) 38:575-78 (May 8, 1818); Parliamentary Debates (Hansard) 40:465-69 at 467-68 (May 17, 1819) (Curwen); Parliamentary Debates (Hansard) 38:916 (1818) (Lords).
- 36. See David Weatherall, *David Ricardo: A Biography* 72 n.2 (1976). Murray Milgate & Shannon Stimson, *Ricardian Politics* 13-14 (1991), discuss the importance of this correspondence for the development of Ricardo's political thought.
- 37. Letter from Trower to Ricardo, Jan. 17, 1817, in *The Works and Correspondence of David Ricardo* 7:117, 118 (P. Sraffa ed., 1962); Letter fom Malthus to Nassau Senior, Mar. 23, 1829, *reprinted in Nassau Senior, Two Lectures on Population*, in *idem, Selected Writings on Economics* 61, 65 (1966 [1829]): "In no old country that I have yet heard of, have the wages of labour...been for any length of time such as to maintain with ease the largest families."
- 38. Letter from Ricardo to Trower, Jan 27, 1817, in Works and Correspondence of David Ricardo at 7:124-25. See also David Ricardo, On the Principles of Political Economy and Taxation, in The Works and Correspondence of David Ricardo 1:105-107 (P. Sraffa ed. 1975 [1817]).
- 39. Letter from Ricardo to Trower, Jan 26, 1818, in Works and Correspondence of David Ricardo at 7:248.
- $40.\ Works$ and Correspondence of David Ricardo 5:303 (P. Sraffa ed., 1952 [May 30, 1823]).
- 41. Letter from Ricardo to Mill, Dec. 10, 1821, in *The Works and Correspondence of David Ricardo* 9:118 (P. Sraffa ed., 1962); Genesis 38.9; Johann von Thünen, *Der isolierte Staat in Beziehung auf Landwirtschaft und Nationalökonomie* 441-42 (3rd ed. 1930 [1850]).
- 42. First Annual Report of the Poor Law Commissioners for England and Wales 47-49 (1835).
- 43. Nassau Senior, An Outline of the Science of Political Economy 38 (1965 [1836]).
- 44. Friedrich Engels, *Die Lage der arbeitenden Klasse in England*, in Karl Marx [&] Friedrich Engels, *Werke* 2:225, 355 (1957 [1845]). Engels, however, merely concluded from this fact that "the present societal relations are worthless." *Ibid.* at 495.
- 45. Population: viz., Enumeration and Parish Registers; According to the Census of M.D.CCC.XXI, at xxx (1822). J. Clapham, An Economic History of Modern Britain: The Early Railway Age 1820-1850, at 54 (1926).
- 46. James Huzel, "Malthus, the Poor Law, and Population in Early Nineteenth-Century England," *Econ. Hist. Rev.* 22 (3): 430-51 (Dec. 1969); *idem*, "The Demographic Impact of the Old Poor Law: More Reflextions on Malthus," *Econ. Hist. Rev.*, 33 (3):367-81 (Aug. 1980).
- 47. J. Blackmore & F. Mellonie, "Family Endowment and the Birth-Rate in the Early Nineteenth Century," *Econ. Hist.* 1 (2):205-13 (May 1927); *idem*, "Family Endowment and the Birth-Rate in the Early Nineteenth Century: A Second Analysis," *Econ. Hist.* 1 (3):412-18 (Jan. 1928).