

Chapter 16

Nineteenth-century beginnings

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Overview

- During the nineteenth century, many people sought protection against the risks of poverty and poor health with the aid of their families, friends and communities, through charities, and by joining mutual-aid associations.
- The main form of statutory provision was the Poor Law. In England and Wales, the Poor Law Acts of 1597 and 1601 gave local parishes the power to introduce a compulsory levy which was used to 'set the poor on work', support those who were unable to work, and provide apprenticeships for pauper children. Scotland possessed a much more rudimentary system of poor relief and Ireland lacked any form of poor law before 1838.
- The English and Welsh Poor Laws, and the Scottish Poor Law, experienced significant changes during the nineteenth century. The Poor Law Amendment Act of 1834 aimed to deter able-bodied men from seeking poor relief, whilst the Poor Law (Scotland) Act of 1845 gave Scottish parishes the right to levy a compulsory rate for the first time. Able-bodied men were excluded altogether from the Scottish poor law system but a more flexible attitude to welfare provision also became apparent during the final decades of the nineteenth century.
- The nineteenth century witnessed important developments with regard to the improvement of working conditions and the introduction of new housing standards, together with the provision of health care. Government grants to

educational bodies were introduced in 1833, and School Boards assumed responsibility for the provision of elementary schools after 1870. The first Public Health Act was passed in 1848, and local authorities intensified their efforts to improve the standard of public health from the 1870s.

- Despite considerable progress during the final part of the nineteenth century, there was also growing anxiety about the need for further reform, and this contributed to the introduction of the Liberal welfare reforms after 1906.

All societies have social policies of some kind, even if the state only plays a minor role in welfare provision. However, nineteenth-century Britain witnessed a series of changes which had a major impact on the scale and scope of public activity. This chapter summarises these developments, whilst also recognising the role of other providers within the overall framework of a 'mixed economy of welfare'.

In the late-eighteenth century, the vast majority of British people still lived in small towns and villages. It has been estimated that approximately 21 per cent of the population of Scotland and 30.9 per cent of the population of England and Wales lived in towns containing more than 5000 inhabitants in 1801 but both of these figures increased rapidly over the course of the next century. In 1901, 57.6 per cent of Scots lived in towns containing more than 5000 inhabitants and 78 per cent of the population of England and Wales lived in towns containing more than 2500 inhabitants. The total number of people in England, Scotland and Wales increased from 10.5 million to 37 million over the course of the century.

Throughout this period, families, friends and neighbours played a central role in meeting social needs. Many people also relied on the support of charities and mutual-aid organisations, often providing local, spontaneous and independent support, which left little trace in official records. More institutional forms of charity

also helped to build bridges between different social groups, creating an infrastructure of support for education and health care, developing different forms of housing provision, and giving financial and other kinds of support during periods of crisis. In Coventry, seven appeals for the relief of distress were launched between January 1837 and April 1860, and a national appeal was initiated in November 1860. The Lord Mayor of Manchester appealed on behalf of Lancashire cotton workers and their families in 1862, and the Lord Mayor of London issued emergency appeals in 1866 and 1886.

Historians have become increasingly interested in the role played by friendly societies and other mutual-aid organisations in the development of a range of social-protection schemes. The friendly-society movement 'took off' during the mid-eighteenth century. Members paid money into a common fund in return for support during periods of sickness and old age and following their deaths. By the end of the nineteenth century, more than four million individuals (of whom the vast majority were male) belonged to a friendly society, whilst many others belonged to trade unions (many of which also offered welfare benefits), collecting societies (a specialised form of friendly society offering funeral benefits), cooperative societies, savings banks and building societies. However, despite these provisions, many people continued to rely on the assistance provided by public welfare authorities, such as the poor law, at different stages of their lives.

Poor relief

Although several authors have argued that the development of state welfare was directly related to the process of industrialisation, the earliest form of statutory welfare in Britain predated the emergence of an industrial society by more than two centuries. The Poor Law Act of 1572 instructed magistrates in England and Wales

to establish the number of poor people in their areas and to tax local inhabitants to provide funds to support them. The Poor Law Acts of 1597 and 1601 transferred responsibility to the churchwardens and overseers of each parish and made them responsible for 'setting the poor on work', maintaining those who were unable to work, and boarding out pauper children to become apprentices. The Scottish Poor Law Act of 1574 also required parishes to support their poor but made no provision for compulsory rating. This meant that the Scottish system became much more reliant on voluntary funding and the Church. The Scottish legislation also differed from England's because it made no provision for the support of those needing employment.

These two factors help to explain the contrast between the different paths taken the two Acts which shaped the development of the English and Scottish Poor Laws during the nineteenth century. In Scotland, despite evidence of widespread hardship, there was relatively little pressure for reform of the poor law before the 1840s. The immediate cause of reform was a split in the Church of Scotland, known as the Great Disruption, in 1843. This placed increasing financial pressure on the Church of Scotland and led it to support plans to give parishes the power to introduce a compulsory levy. However, even after the new powers were introduced in 1845, able-bodied men continued to be excluded from the poor relief system.

The reform of the Poor Law in England and Wales was preceded by a much longer and more heated debate over the relief of the able-bodied poor. Critics argued that the provision of relief had undermined work incentives, weakened social ties, encouraged population growth and exacerbated the hardship it was meant to prevent. In 1832, the Royal Commission on the Poor Laws drew a sharp distinction between *indigence* - 'the state of a person unable to labour, or unable to obtain, in return for his labour, the means of subsistence' - and *poverty*, which was

‘the state of one who, in order to obtain a mere subsistence, is forced to have recourse to labour’. In order to deter members of the second group from seeking relief, it recommended the introduction of a ‘workhouse test’. It argued that if relief was only provided within the confines of a ‘well-regulated workhouse’, this would deter those who were capable of supporting themselves from seeking relief.

The Poor Law Report provided the foundation for the Poor Law Amendment Act of 1834. However, this Act did not compel poor law authorities to establish workhouses or to abandon the payment of ‘outdoor relief’ (i.e. the provision of assistance to individuals outside a workhouse). Its most important innovation was the establishment of a central body, the Poor Law Commission, with the power to make and issue rules for the management of the poor throughout England and Wales and to create combinations of poor law parishes, known as Poor Law Unions, to administer the poor law in each area. The Commission could only order Unions to construct workhouses if it obtained the written consent of a majority of the Poor Law Guardians, or the support of a majority of the ratepayers and property-owners who were eligible to vote in Guardians’ elections.

Historians have offered conflicting assessments of the Act’s impact. Although many traditional poor law practices survived the advent of the ‘New Poor Law’, workhouses were constructed in most parts of the country and the vast majority of parishes had been reorganised into Poor Law Unions by the end of the 1850s. However, although the establishment of the New Poor Law led to a substantial reduction in the number of able-bodied male paupers, the poor law authorities continued to support large numbers of non-able bodied men, as well as women and children, and the majority of these people were receive support outside the workhouse.

Whilst many people thought that the New Poor Law was too harsh and was failing in its duty to provide for the most vulnerable, others believed that the original principles of the 1834 reform had been diluted and that its deterrent functions were being undermined by 'indiscriminate' charity. In 1847, the Poor Law Commission was replaced by the Poor Law Board and in 1869 the Board's President, Viscount Goschen, advised London's poor law authorities to work more closely with private charities and to restrict the flow of statutory relief. This policy continued when the Poor Law Board was itself replaced by the Local Government Board in 1871, and this led to what became known as the 'Crusade against Outdoor Relief'. The 'crusade' led to sharp reductions in the numbers of both male and female paupers throughout the decade.

However, despite the 'crusade', other evidence suggested that approaches to poverty were moving in a different direction. This was reflected in measures such as the use of income scales to identify parents who might qualify for the remittance of school fees following the introduction of compulsory education in different parts of England and Wales after 1870 and in Scotland after 1872; the removal of restrictions which prevented men who claimed outdoor medical relief from voting in Parliamentary elections in 1885; the authorisation of public works schemes during periods of unemployment between 1886 and 1893; and the democratisation of Guardians' elections and the appointment of the Royal Commission on the Aged Poor in 1894. Attitudes to poverty were also shaped by the results of two major surveys of poverty in London and York between 1887 and 1901. Many of these developments contributed to the adoption of new approaches to the prevention and relief of poverty by the Liberal governments of 1906-14 (see Chapter 17).

Public services

Although the Poor Laws provided the bedrock of public welfare services during the nineteenth century, the period also witnessed major developments in other aspects of the state's welfare role. These developments were reflected in the introduction of measures to regulate living and working conditions as well as the establishment of new kinds of public service.

As we have already seen, the late-eighteenth and early-nineteenth centuries saw a significant increase in the scale of industrial employment, including the growth of factories and workshops. During the late-eighteenth century, reformers such as Thomas Percival highlighted the conditions under which children were employed in these establishments and this led to a series of attempts to regulate conditions of employment for children and, subsequently, for women and, eventually, men. The earliest Acts included the Health and Morals of Apprentices Act (1802) and the Factory Acts of 1819, 1820, 1825 and 1833, and they were followed by more wide-ranging legislation such as the Ten Hours Act (1847), the Factory Acts of 1867 and 1874, and the Factory and Workshops Acts of 1878 and 1901.

Local authorities acquired new powers to prosecute the owners of 'filthy and unwholesome' properties and demolish 'ruinous or insanitary buildings' during the 1840s and 1850s. The Public Health Act of 1848 allowed local Boards of Health to prohibit cellar-dwellings, regulate common lodging houses, ensure that all new buildings were connected to sewers, and make arrangements for the removal of 'nuisances', such as refuse piles and unclean privies, but its application to Scotland was blocked by medical disagreements over the causation of disease. The Artizans' and Labourers' Dwellings Act (1868) and the Artizans' and Labourers' Dwellings Improvement Act (1875) gave local authorities the power to demolish insanitary dwellings, but little effort was made to provide affordable forms of replacement

housing for displaced tenants. However, the Housing of the Working Classes Act of 1890 allowed local authorities to construct new houses for more affluent workers and encouraged hopes that this would reduce the pressure of demand at the bottom of the housing market. Although the Act had relatively little effect on total housing stock before 1914, it anticipated the first large-scale experiments in council housing after 1919.

The nineteenth century also saw important changes in the development of medical services. The traditional divisions between physicians, surgeons and apothecaries became increasingly blurred, and a more unified medical profession began to emerge. At the start of the century, most people preferred to be treated in their own homes, but by the end of the century they were more likely to seek hospital care for more serious forms of treatment. In 1891, approximately 25 per cent of hospital beds were located in charitable, or voluntary, institutions and the remainder were in the public sector. The majority of these were located in poor law infirmaries, but a growing number were housed in more specialised institutions administered by local authority public health committees.

As the number of people who lived in urban areas increased, many contemporaries feared that the pace of urbanisation and the concentration of health problems in towns would undermine the health of the population as a whole. In addition to the housing clauses which have already been described, the Public Health Act of 1848 led to the creation of the first central government health department, the General Board of Health, and gave it the power to examine the sanitary condition of any area where more than ten per cent of ratepayers requested such an enquiry, or where the local death rate averaged more than 23 deaths per thousand living over a seven-year period. The General Board of Health was also empowered to create local Boards of Health if this seemed appropriate. However, it

was not until much later in the century that many local authorities began to take concerted action to improve sanitary conditions. The expansion of public health activity after 1870 had many causes, including the provision of central government support for the appointment of local Medical Officers of Health from 1872.

The history of public health reform in Scotland followed a slightly different path, and was much more dependent on local initiative. Many of the earliest attempts at reform were spearheaded by the local police commissioners. However, the pace of reform accelerated during the 1860s, when major Improvement Acts were implemented in Glasgow and Edinburgh, and the first Public Health (Scotland) Act was passed in 1867. This Act was amended in 1871, 1875, 1882 and 1890, and further changes followed the establishment of the Scottish Local Government Board in 1894.

At the start of the nineteenth century, many observers were afraid that the expansion of educational opportunities would provoke unrest, and it was left to a number of religious societies, including the Non-Conformist British and Foreign Schools Society and the Church of England National Society, to take the lead in establishing new schools. In 1833 the government granted £20,000 to these societies to enable them to build more schools in northern England, and both the scale and scope of public educational funding expanded rapidly after 1840. During the 1860s, many commentators expressed concerns about the number of children who were not attending recognised elementary schools, and this led to the introduction of the Elementary Education Act in 1870 and the Education (Scotland) Act in 1872. The new Acts aimed to 'fill the gaps' in the existing systems of voluntary education by creating School Boards in areas where the level of provision was supposed to be inadequate. The 1870 Act allowed School Boards to make school attendance compulsory for children between the ages of five and ten, but the

1872 Act went further, and made attendance compulsory for all Scottish children between the ages of five and thirteen. The principle of compulsory education was extended to other parts of England and Wales in 1876 and 1880, but elementary school fees were only abolished in England and Wales in 1891 and in Scotland in 1899. The powers and duties of English and Welsh School Boards were transferred to Local Authority Education Committees in 1902, but School Boards remained in place in Scotland until 1918.

Emerging issues

As this chapter has shown, the nineteenth century witnessed many important changes in welfare provision. At the start of the nineteenth century, the English and Scottish Poor Laws were very different, with the Scottish system relying much more heavily on support from the Church and private charity. The Scottish system also excluded able-bodied men altogether. Over the course of the next seventy years, the two systems became much more closely aligned, although significant differences remained. The Poor Law Amendment Act of 1834 sought to deter able-bodied men from seeking poor relief in England and Wales whilst the Poor Law (Scotland) Act of 1845 allowed local parishes to introduce a compulsory levy to fund poor relief, but able-bodied men continued to be excluded. However, a more expansive attitude to the relief of poverty became apparent on both sides of the border from the 1870s onwards. The state's role also expanded in other ways. These included the introduction of a series of Acts to regulate the employment of women and children, establish minimum standards of health and safety at work, improve the quality of new housing, protect the population against the spread of disease and provide new educational services.

Although many Victorians welcomed these measures, they also approached the start of the new century with growing unease. During the 1880s and 1890s, surveys by two independent researchers, Charles Booth and Seebohm Rowntree, appeared to show that the extent of poverty was much greater than previously thought, and Rowntree's findings in particular helped to fuel concerns that a significant proportion of the working-class population was living below the standard of 'merely physical efficiency'. These fears were compounded by suggestions that the health of the population was being undermined by continuing urbanisation and by the high proportion of prospective army recruits who were rejected on grounds of physical unfitness. The established political parties – the Liberals and Conservatives – faced a growing challenge from an increasingly organised labour movement (the Labour Representation Committee was formed in 1900), and concern over Britain's failure to keep pace with the emerging economic powers of Germany and the United States continued to mount. Many of these anxieties were reflected in the background to the new welfare measures which the Liberal government introduced after 1906.

Guide to further sources

This account is largely based on B. Harris (2004), *The origins of the British welfare state: society, state and social welfare in England and Wales, 1800-1945* (Basingstoke: Palgrave) provides an introduction to the history of social policy in England, Scotland and Wales during the nineteenth century. Additional information has been derived from the following sources: T.M. Devine (2012), *The Scottish nation: a modern history* (Harmondsworth: Penguin); T.M. Devine and R. Mitchison, eds. (1988), *People and society in Scotland. Vol. 1: 1760-1830* (Edinburgh: John Donald); R. Floud, J. Humphries and P. Johnson, eds. (2014), *The Cambridge*

Economic History of Modern Britain. Vol. 1: 1700-1870 (Cambridge: Cambridge University Press); and W.H. Fraser and R.J. Morris, eds. (1990), *People and society in Scotland. Vol. 2: 1830-1914* (Edinburgh: John Donald). The following sources are also helpful: D. Fraser (2010), *The evolution of the British welfare state*, 4th edition (Basingstoke: Palgrave); P. Thane (1996), *The foundations of the welfare state*, 2nd edition (London: Longman). The development of social policy in nineteenth century Ireland is discussed in Chapter 1 of M. Considine and F. Dukelow (2009), *Irish social policy: a critical introduction* (Dublin: Gill and Macmillan).

Review questions

1. How important were charity and mutual aid in helping working-class people to support themselves during the nineteenth century?
2. Why, and to what extent, did the English and Scottish Poor Laws converge over the course of the nineteenth century?
3. How might we explain the growth of state intervention in *either* public health *or* education in Britain before 1900?
4. How did the development of social policy during the nineteenth century contribute to the origins of the modern welfare state and what lessons, if any, should contemporary policy-makers draw from nineteenth-century developments?

Essay/Report question

- What were the major social challenges facing policy-makers in England, Scotland and Wales during the nineteenth century?