Early Modern Conceptions of Property

Edited by

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London and New York
Lockean ideas, poverty, and the development of liberal political theory

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Although it may be true that "the poor ye shall always have with you," the existence of mass poverty in eighteenth-century England was such a striking and shocking social phenomenon that it called forth thousands of tracts, sermons, pamphlets, and books that attempted to explain and/or justify the existence of poverty as a feature of the most economically developed society in the world.

My object in this chapter is to offer a conceptual and historical analysis of the most significant arguments pertaining to poverty during the period from the end of the seventeenth century to the beginning of the nineteenth century. As the literature on this subject is enormous, let me indicate more specifically the parameters within which I shall formulate the argument of the chapter. Viewed as a whole, the reconstruction of the eighteenth-century debate concerning poverty would appear as a complex totality, not only in the sense that there were numerous specific arguments, but also because they were of different "types" (religious/secular, political/economic, etc.) and because some arguments presupposed permanent aspects of social relations, while other arguments appeared and/or disappeared, according to the changing conditions of eighteenth-century society.

In these circumstances, one must exercise considerable methodological caution in developing what, at first glance, appears to be a contradictory position. On the one hand, certain arguments, such as God's providential wisdom in assigning individuals to the differential ranks of rich and poor, or the claim that poverty reflects defective moral training on the part of the poor, were made in the seventeenth and in the nineteenth centuries, and thus appear as persistent and unchanging elements of the debate. On the other hand, at the same time, arguments associating poverty with trade cycles, demographic shifts in population, or bad harvests, are much more contingent in character. Other arguments analyzing poverty in terms of a structured set of social relations are meant to be more than merely contingent but perhaps less than permanent features of human existence. The point, then, is that general characterizations, such as the claim that there was a movement away from religious-based to secular explanations for the existence
of mass poverty, are misleading when, as is usually the case, such observations are extracted from what is a much more complex historical totality. At the same time, there are “progressive” developments with respect to this debate. Some arguments, if not refuted, are abandoned. Other arguments whose formal nature may seem unchanged take on new meanings in relation to changing social circumstances. And a few arguments are truly novel in relation to previously accepted beliefs or assumptions underlying the discourse about poverty. Hence, it has to be possible to speak of both change and persistence, and to make some evaluative but plausible assessment of the relative importance over time of particular arguments in the context of the debate as a whole.

Moreover, in considering attitudes toward poverty over such a long period, it is difficult to provide sufficient detail to characterize the fluctuating intensity of the debate arising from the perceived financial burden of poverty in the face of escalating poor rates or from a recognition of the extent to which changes in the political situation in England transformed the discussion of poverty as a social problem into a polemical critique or defense of the existing political regime.

Even if these methodological guidelines were adopted, without further discriminations, the reader might be presented with little more than a catalogue of arguments concerning poverty indiscriminately assembled. In this chapter therefore, I propose to focus upon certain assumptions and arguments contained in the thought of John Locke as a baseline for questions such as the following: How were these arguments employed and developed by eighteenth-century thinkers with respect to the problem of poverty? How did the meanings of Lockean arguments change over time? What significance did Lockean ideas and arguments have in the context of the debate over poverty, viewed as a whole, and to what extent can one speak of Lockean arguments being “replaced” by other arguments concerning poverty?

I have focused upon Lockean concepts or arguments not merely because one needs some axis from which to view the debate concerning poverty, but also because I wish to illustrate the importance of this debate to the development of the political theory of liberalism. Political theory, in my view, has a dualistic nature. In its narrowest sense, political theory is constituted by the arguments and beliefs directed toward the recognition and resolution, generally through engagement in collective action, of a specific concrete problem, such as the extension of the franchise, religious toleration, slavery, or poverty. In its broadest sense, political theory provides a framework for understanding how and why the social relations between members of a particular society came to be what they are, and what actions have been or are necessary in order to effect a restructuring of those social relations. Of course, this is purely an analytical distinction, but it supplies a standpoint for assessing the political theory of a particular thinker. Since I have argued at length elsewhere that John Locke’s political theory provides an illustration of both meanings of political theory, I shall take it as given that those who employed his arguments did so in ways which both illuminate the significance of a particular social problem in eighteenth-century England and provide a critical perspective from which to assess the social relations of that society.
Given the structure of the argument I have outlined, it seems necessary to provide the reader with at least a schematic guideline with respect to Locke's views toward the poor. To provide an interpretive defense of Locke's perspective, however, would preclude any discussion as to how these arguments were deployed by others – which is the focus of this chapter – and I shall therefore refer the reader to the relevant works in the secondary literature on Locke which explain how he arrived at what are presented here as the conclusions of his arguments.

Employing the traditional language of natural law, Locke argues in the Two Treatises of Government that everyone has an "equal right" or "a right in common . . . [to] provide for their subsistence." This right to subsistence is defended by Locke as a necessary means to fulfill the general obligation laid upon each individual by the Law of Nature to act so as to preserve all mankind. Thus, an individual has "a right to the surplusage" of another's goods because natural law "gives every man a title to so much out of another's plenty, as will keep him from extreme want, where he has not means to subsist otherwise." The natural right to subsistence is both a primary rights claim, and a theoretical presupposition underlying any Lockean definition of "property."

In considering a conflict between two "rightful" claims, that of a just conqueror to the spoils of war and that of the subsistence needs of the women and children residing in the defeated country, Locke insists that the rights claim of the latter to subsistence takes precedence, an assertion defended in terms of "the fundamental Law of Nature being, that all, as much as may be, should be preserved." More generally, Locke's position is that the natural right to subsistence is a legally enforceable right within any post-subsistence form of society, and within seventeenth-century England in particular. In the memorandum he drafted for a revision in the English poor laws as a member of the Board of Trade, Locke declared as a political policy that "everyone must have meat, drink, clothing, and firing. So much goes out of the stock of the kingdom, whether they work or no." Indeed, Locke believes that it should be a crime chargeable against those responsible for administering poor relief within the parish to allow anyone to die for want of due relief. Since governments are instituted to protect the life, liberty, and property of individuals, it could be argued from the way in which Locke employs his fundamental assumptions, that no government could be adjudged to be employing political power for the common good – the preservation of mankind – which failed to preserve all members of society through guaranteeing their subsistence.

Turning to another set of arguments in the Two Treatises, Locke maintains that "God commanded" man to labor, "to subdue the earth, i.e., improve it for the benefit of life," so that whoever "in obedience of this command of God, subdued, tilled and sowed any part of it" could rightfully claim the land as the product of his productive labor. But if some individual in the state of nature simply appropriated, enclosed, or fenced the land but did not cultivate it or improve it, then, Locke argues, the land "notwithstanding his enclosure, was still to be looked on as waste, and might be the possession of any other." Productive labor, and not simply appropriation of property, is the key concept in Locke's understanding of economic development as well as an element in his theologically structured political theory.

Not surprisingly, Locke maintains that a large population of laborers is much more
important with respect to the production of national wealth than "largeness of dominions." This preference for labor over land is, of course, consonant with Locke's mercantilist position that trade is the means by which both individuals and countries accumulate wealth and power. Exchange of commodities for money thus allows individuals to employ their productive labor beyond the natural familial limits of consumption, and, in so doing, individuals are acting in accordance with the basic precept of natural law, for they are enhancing the objective circumstances under which mankind may be preserved. For reasons which will become evident later, it is important to emphasize the point that Locke believes that trade, or life in a commercial society, benefits every member of that society.

Locke's views on other matters relevant to the discussion of poverty will emerge in the context of a consideration of the arguments advanced by eighteenth-century thinkers. But it is essential to keep in mind as these views are presented the natural law-natural right to subsistence, divine authority for productive labor, political power directed toward the preservation of mankind, and the universally beneficial features of commerce as the structuring, if skeletal, elements of Locke's political-economical thought.

II

Among the many traditional beliefs drawn from Christian doctrine which shaped people's attitude toward the poor, I would emphasize the efficacy and persistence of the notions of providential design, moral depravity, and stewardship. With regard to the first belief, the title of a pamphlet by Robert Moss published in 1708—The Providential Division of Men into Rich and Poor, and the Respective Duties Thence Arising, Briefly Considered—virtually says it all. Moss has little to say concerning the duties of the rich, but, as for the poor man, he is instructed "to rest contented with that state or condition in which it hath pleased God to rank him." This counsel of submission to a higher design was still being offered at the end of the century by those who took the time between tea and supper to ruminate upon the Deity's wisdom.

Since the focus of this chapter is upon political theory and political action, there is little to be said concerning this perspective except to note its persistence and persuasiveness as a counsel of nonaction. A version of providential design does, however, structure Locke's argument in The Reasonableness of Christianity, where Locke maintains that God designed Christianity for and Jesus preached its doctrines to the poor. Yet the fact that even the poorest individual is rational enough to comprehend and carry out—ought implies can for Locke—his or her religious duties, viewed as an attack upon the authority of the clergy, leads not to inaction, but rather to a more democratic conception of authority in religion and politics, though I shall not pursue that point here.

That poverty is the consequence of moral depravity is an attitude that also persisted throughout the eighteenth century. Indeed, that poverty reflects "fraud, indolence, and improvidence" on the part of the poor was the primary conclusion offered for its existence in the Report of the Poor Law Commission in 1834. In a more general sense, without the Calvinist undertones, various writers maintained throughout this
period that the poor must accept personal responsibility for their condition. But in its most extreme form, moral depravity suggested an inherent and incurable defect, and therefore such a characterization could be deployed, like providential design, to defeat any social action designed to ameliorate the condition of the poor.

However, a more permissive interpretation produced an important distinction between “the deserving poor” and “the idle, improvident, and undeserving poor.” In the first category were those who were poor through no fault of their own – the aged, disabled, mentally ill, and victims of catastrophes – who deserved assistance from their neighbors. Locke accepted such a distinction, and for him as well as for his friend Thomas Firmin education and coerced employment supplied the disciplinary remedy for idleness. Not only the state, but also individual employers, bore some responsibility for the solution of the problem of poverty, viewed as a defective exercise of self-discipline.

That the rich are “general stewards to employ and relieve . . . the poor” was another precept of Christian doctrine, and a prominent theme in sermons preached throughout the eighteenth century. People who believed that their wealth was “not a stewardship, but [was] given only to gratify their own appetites and enrich their posterity, without regard to others, and particularly to the poor,” John Bellars declared, “show their religion to be vain.” Because riches were “entrusted” to the individual by God, a wealthy individual had an “indispensable duty to be very liberal in acts of public and private charity.” Locke accepted the doctrine of stewardship in general, and in his will he made a number of bequests to provide for the poor.

The moral force of stewardship was upon private acts of charity freely given, but religion was also an integral feature of the social order, and the role of steward could therefore be easily associated with the responsibility of authority. It could hardly be otherwise in a paternalistic, hierarchically structured, and largely rural society. The congruence between wealth, social status, and political authority provided, for most of the eighteenth century, a basis for hoping that the claims of the poor would be met by local stewards. Yet, these claims were frequently not met, in part because the numbers of the poor were constantly increasing, but also, it was argued, because the social relationship between rich and poor was undergoing a significant change.

To account for this change, a myth was created of a disappearing society where “old English hospitality” flourished and rich and poor lived like “families in mutual care of each other.” In the early nineteenth century, it was still being argued that “the ties of relationship and neighborhood” as the basis for charity had been replaced “by the operations of the coercive system of parochial aid.” From this perspective, the poor rates were attacked as impersonal and compulsory legal obligations laid upon property-owners in place of relations of deference, gratitude, and charity that had once prevailed. The idea of stewardship as the “conscious responsibility” to provide for the poor was undermined, it was argued, by a “system of compulsory provision” of poor relief. The image of that “happy nation” where “people live in natural love and dependence . . . [and] rich and poor are attached to each other by the reciprocal good offices of kindness and gratitude” was increasingly invoked by eighteenth-century writers in proportion to the obviousness of its nonexistence.
III

Whatever the degree of reality one accords to the familial or Christian framework as a way of viewing acts of charity by individuals, the underlying premise of statutory poor relief from the Elizabethan period to the nineteenth century was largely, though not exclusively, a punitive one. That is, vagabonds, beggars, and idle individuals were either to be whipped or to be put to work in order to cure their “vicious habits.” What was needed, Locke and his contemporaries argued, were public workhouses where the idle poor could acquire “a habit of industry” through labor. Workhouses, in short, were designed to be “nurseries of religion, virtue, and industry.” Notwithstanding the punitive language and the moral value attached to labor as an essential feature of the human condition, the argument for workhouses in the seventeenth century also reflected a de facto recognition of the poor’s claim to a right to subsistence.

Toward the end of the seventeenth century, however, an argument for the establishment of workhouses as industrial and profitable enterprises, that is, as sources of national wealth and not merely as nurseries of virtue, became increasingly popular. In his speech to Parliament in 1689, William III supported the building of more workhouses, not only because they were charitable institutions but also as “effectual expedients for increasing our manufactures.” In a number of tracts, John Bellars championed this view, that employment of the poor could be made a profitable and self-supporting enterprise. Bellars predicted that not only would the workhouse scheme he had devised produce a profit, but also the income generated by the poor would make the poor rates unnecessary. The Workhouse Act of 1723 encouraged the building of workhouses, and in some parishes they were constructed by or leased to local manufacturers eager to avail themselves of the supply of cheap labor.

In order to appreciate why the idea of employing the poor for profit was so enticing we need to grasp the meaning of labor from the standpoint of a mercantilist view of the world, as expressed, for example, in Locke’s thought. The basic argument was simple: all goods are produced by labor; wealth is gained through trading one good for another. Hence, what a trading nation requires is a large supply of cheap labor engaged in the production of goods. Since “it’s only the labor of the poor that increases the riches of a nation,” Bellars declared, “there cannot be too many laborers in a nation.” Sixty years later (1759), this was still the dominant view. Since it is “the intent of the state to cherish the numerous offspring of the poor,” the author of *Population with Oeconomy, the Wealth and Strength of a Kingdom* reasoned, “let every poor man that has a numerous family be looked upon as a great benefactor to his country.” With a constant supply of cheap labor, English manufacturers and merchants would be able to undersell their competitors in the international market.

Of course this argument for the “utility of poverty” assumed that what was crucial was not the number but the employment of the poor. Unemployed individuals receiving poor relief were “the dead stock of the nation,” i.e., a wasted resource, unless their labor, like other commodities, was sold in the marketplace. With respect to the latter, however, the poor constituted a special case, for, in order for the workhouse to be a profitable undertaking, the cost of maintaining the poor had to be kept below the prevailing wage of those already employed in producing that commodity. Since those
wages were already at the level of subsistence and were determined by the laws of the market, “subsistence” within the workhouse took on a rather grim meaning. Moreover, critics such as Daniel Defoe maintained that in “putting a vagabond into an honest man’s employment,” you are “giving to one what you take away from another, enriching one poor man to starve another.”

That the poor might be better viewed not as objects of charity but as the source of profits reflects a significant shift in the social consciousness of individuals in the eighteenth century, and some of the presuppositions underlying this perspective merit further consideration. The workhouse as a means of enforcing virtue with respect to the poor required, in addition to strict discipline, the separation of husbands from wives, the break-up of families, and, in general, an administrative regime resembling that of a prison. John Bellars recognized the legitimacy of the complaints of the poor against the tyrannical administration of the poor law. “A workhouse,” he wrote, “bespeaks too much of servitude.” He preferred to call them “colleges of industry,” because he envisioned the resident poor as constituting “a community, something like the example of primitive Christianity, that lived in common.” Bellars admitted that “community” implied “a greater unity in spirit” than could be realized in his “college,” but he was convinced that “an outward fellowship” among the workhouse poor was possible.

Other reformers echoed this view that a workhouse should not be looked upon as a prison but as a “college of artificers” where “the work would be cheerfully carried on.” But the idea that you could “force the slothful poor to work” and make them cheerful was not widely held, certainly not amongst the poor, who fiercely resisted being sent to the workhouse. As one overseer of a workhouse reported, “we have many here who would choose to starve, rather than be maintained in . . . [the] house of correction, as they call it.”

It is not only that the developing manufacturing economy depended upon voluntary contractual and not upon forced labor, but also, as even its supporters recognized, the workhouse symbolized a rupture in the “spirit of the community” insofar as parish life in any period in English history could be characterized in those terms. The eighteenth-century workhouse stood as an incomplete bridge between the world of religiously inspired discipline enforced by the Tudor government and the world of industrial capitalism driven by the profitability of manufactured goods.

From the outset, the idea that workhouses were “nurseries of virtue” was dismissed by many as a fiction. With the publication of a number of reports on the actual operations of workhouses throughout the country, by the middle of the eighteenth century, there was considerable empirical evidence to support the view that workhouses had failed to realize their moral objective. Moreover, the evidence demonstrated, overwhelmingly, that workhouses were not profitable enterprises either. Nevertheless, characteristically undeterred by the empirical evidence, Jeremy Bentham still entertained thoughts at the beginning of the nineteenth century of a massive network of workhouses generating huge profits, and he drew a general map of pauperland, as he called it.

The failure of workhouses to provide a solution to the problem of poverty in accordance with mercantilism’s insistence upon the importance of productive labor not only showed that poor relief could not be administered according to the laws of the competitive economic market, it also disclosed a much more disturbing problem; namely, as
Defoe's remarks implied, the employed laborer was already a poor man. What the numerous surveys and reports concerning poor relief undertaken during the eighteenth century revealed was that most poor relief was paid to individuals living outside the workhouse, and that a significant proportion of those individuals were employed but were receiving wages that were inadequate to maintain their families. In other words, it was not merely a question of putting the idle poor to work as the Elizabetian poor law had assumed. The eighteenth century discovered a new dimension of the problem of poverty and a new category to describe it - "the laboring poor."

Locke assumed, as did most of his contemporaries, that wage laborers maintained a subsistence-level existence. Given the generally held belief that individuals would work only for reasons of immediate necessity, and that if the worker received wages above this subsistence level, he would cease to work, preferring leisure, the proposition was regarded as a self-evident truth. Hence, the poverty line, and the economic rationale for poor relief, had to be set at a level below the income of the able-bodied employed worker. If the latter were included within the definition of poverty, it not only meant that large numbers of individuals might be added to the rolls of poor relief - with a correspondingly huge increase in the poor rates, already on the rise - but also that the problem of poverty, seen from this perspective, might prove to be insoluble.

Yet, it was undeniable, as the surveys showed, that the wages of hundreds of thousands of workers were insufficient to provide for their families. With a sense of paternal responsibility, local magistrates who had the authority to regulate wages sometimes awarded relief payments to workers as wage supplements. Outdoor relief and family wage supplements were widespread responses to the poverty of the laboring poor decades before this practice was later made notorious as the Speenhamland system. In fact, this practical response to poverty only increased the awareness of people that the system of poor relief failed to solve the problem of poverty.

In addition to the moral and economic arguments concerning poverty, the latter was recognized to be a problem for which the state assumed responsibility. Given the Elizabetian poor law, this is hardly surprising, but I shall put aside the straightforward legal/historical references to state policy in order to concentrate on the broader political arguments, i.e., those which focused upon the nature and objectives of government. These arguments, of course, could be, and were, phrased in the language employed by Locke. Such arguments carried with them radical implications because the rights claim to poor relief could not be defeated on the basis of the empirical evidence of the failure of the system to execute its obligations to provide for the poor. On the contrary, given such a right, the evidence could be turned against the state itself. In other words, the very existence of mass poverty reflected the failure of the government to provide for the common good, thereby threatening the legitimacy of the political order.

The failure of poor relief efforts, the author of a tract published in 1767 argued, "has not been owing to any natural depravity peculiar to the low people of this country . . . and, if this be admitted . . . the causes . . . must be looked for solely in our laws and polity." That the deplorable condition of the poor was the consequence of "bad government" was a commonplace by the end of the eighteenth century. However, to place the blame for poverty upon defective political institutions, framed in the language of Lockean political theory, drastically narrowed the alternatives, for the failure of the
government to act for the common good resulted in its dissolution and the return of political power to the people. In this context, the concept of the state of nature could be invoked for critical or even revolutionary purposes, as indeed it was by Locke in the *Two Treatises*.

Poverty, it was argued, placed masses of individuals in “ininitely worse circumstances” than had existed in the state of nature. Arguing in support of the right to poor relief for the Irish, Richard Woodward appealed to the Law of Nature guarantee of the natural right to subsistence. This right, Woodward maintained, as did Locke, was not given up with the contractual formation of political society. Hence, every individual has a “claim on the community” for a portion of “the public patrimony” necessary to sustain his family. How, Woodward asked, could property-owners expect their “right” of property to be recognized “unless they consent in return to provide for the subsistence of the poor?” William Paley advanced a similar argument, going so far as to maintain that there was no natural right to property in land, an assertion which, at the very least, rendered nugatory the complaints of landowners concerning the poor rates when weighed against the existence of mass poverty.

Some individuals, including William Cobbett, extended the natural law argument to its logical consequences; namely, that with the dissolution of government, all obligations on the part of the poor to obey the government ceased, and they were entitled, en masse, to take whatever action they believed would secure their preservation. If the poor are oppressed and made miserable, James Murray warned, they will certainly reclaim their natural right to relief through riots and violence. In short, revolution was a legitimate response to the state’s failure to provide subsistence for the poor. Of course, parallel to and largely independent of such justificatory arguments, there were riots and uprisings by the poor during periods of economic depression and famine. No facile explanation relating these actions to the theoretical argument I have outlined is acceptable, notwithstanding the fact that Cobbett’s political ideas were widely disseminated amongst the laboring poor. Yet, neither can such disturbances of the political order be viewed merely as instinctual responses to contingent economic circumstances. Not only is the constancy of low wages a reasonable element of any explanation for the actions of the poor, but also the fact that, in many instances, their attacks were directed specifically at the workhouses or the local overseers of the poor indicates that, on some level, it is plausible to draw a connection between what the poor believed they were rightfully entitled to receive for their labor and the failure of the system, symbolized by the workhouse, to recognize such a right. Such a connection was certainly drawn by the political opponents of the poor law, and, in particular, by the Poor Law Commissioners who wrote the 1834 report.

The prospect of revolution did not, however, exhaust “the radical possibilities” within Locke’s political theory, as viewed by eighteenth-century thinkers. Not only did Paley’s observation that land ownership was a conventional and not a natural right reflect Locke’s position, but, as Locke had maintained in the *Two Treatises*, uncultivated or “waste” land represented a failure to realize God’s intentions that individuals should engage in productive labor. When the natural right to subsistence was linked, as it was in numerous eighteenth-century tracts, with the existence of millions of acres of “waste” land, it was clear to both proponents and opponents of the poor law that this Lockean argument could be deployed as an attack upon the landed aristocracy and especially
upon absentee landlords who allowed their property to become "waste" land. Most scholars have assumed, incorrectly, that such "levelling" schemes with respect to solving the problem of poverty arose in England in the wake of the French Revolution or were due to the influence of Thomas Paine's ideas. In fact, the connection between a right to poor relief and the use of uncultivated land was not only a longstanding one, but it was recognized by numerous individuals who had never heard of the Diggers or read the works of Paine. 

Addressing himself to "the general causes of poverty," an anonymous author observed that if "those extensive tracts of land" that are uncultivated were "more equally distributed," there would be sufficient employment for the poor. Richard Price, who explicitly identified himself as a follower of Locke, also associated poverty and oppression with the unequal distribution of property as contrasted with that "natural and simple life" in a Lockean state of nature where "property is equally divided" and "the wants of men are few." William Ogilvie, in his Essay on the Right of Property in Land (1782), followed Locke's argument closely, frequently citing passages from the Two Treatises in support of the "natural rights" of "the laborious poor" against oppressive landowners. Giving "the industrious poor" uncultivated land, Ogilvie argued, was not only a necessary reform of but also a preferable alternative to the existing system of poor relief. This point was further developed by Thomas Spence, who also cited passages from Locke in defence of the natural rights of the laboring poor, and advanced a scheme whereby counties could reclaim unused land for the employment of the poor. For Spence, as for many other radicals, the primary issue of politics was not "about what form of government is most favorable to liberty." Rather, he argued, it was "which system of society is . . . capable of delivering us from the deadly mischief of great accumulations of wealth" counterposed to the existence of mass poverty. The argument linking poverty and unemployment with waste land of property-owners, accompanied by citations from Locke, became an increasingly prominent feature of the defense of the right to poor relief. It was taken up by the Chartists, and later, in the 1870s, by advocates of the nationalization of all land as a common resource of society.

Nevertheless, although it was an important and a constant element of radical thought from the seventeenth century to the nineteenth, the redistribution of landed property was a minority-held view within the larger perspective of radical political theory. Most radicals focused upon political reform, believing that the defects of the social system, including poverty, could be remedied through the passage of new laws. This, of course, presupposed a shift in the distribution of political power toward the working class through the institution of manhood suffrage. Major Cartwright, Thomas Paine, and other radicals defended manhood suffrage, employing the natural rights/consent argument which Locke formulated in the Second Treatise. Indeed, passages from that work were frequently reprinted in nineteenth-century radical newspapers, such as The Black Dwarf or The Northern Star, in the context of arguments for manhood suffrage. 

James Burgh, claiming Locke as a mentor, specifically relied upon Locke's broad definition of property - "life, liberty, and property" - and, citing the paragraph from the Second Treatise which maintained that the government "must not raise taxes on the property of the people, without the consent of the people, given by themselves, or their deputies . . . to be from time to time chosen by themselves," Burgh argued that the
franchise should be extended to include the poor. For, once taxation, consent, and property in one's person—i.e. labor—were conceptually linked together, Burgh argued, it was impossible to deny the vote to anyone, meaning everyone, who paid taxes.74 This point was equally obvious to a moderate Whig like Josiah Tucker. Locke's principles, Tucker declared, were "extremely dangerous" to the peace and happiness of society, especially in the hands of writers such as Price, Burgh, or Cartwright who, Tucker believed, correctly interpreted Locke as a radical political theorist. Locke, Tucker observed, was the idol of all the levellers in England.75

The employment of Locke's ideas by radicals in defense of the rights of the poor in the eighteenth and nineteenth centuries is a subject that could be pursued at much greater length, but, in the final section of this chapter, I want to discuss, briefly, the arguments directed against this radical perspective. In the end, they scored a decisive political victory with respect to the latter insofar as their presuppositions were reflected in the legislation reforming the franchise and the poor laws enacted by Parliament in the 1830s.

IV

In rejecting the Lockean concepts of natural law, natural rights, state of nature, and the theological and philosophical assumptions underlying such concepts, David Hume laid the philosophical foundations for an alternative response to the problem of poverty, one which did not presuppose a rights claim to poor relief. As a general proposition, Hume argued that it was "fruitless" to "seek in the laws of nature a stronger foundation for our political duties than interest and human conventions."76 Hume was not interested in questions concerning the origins of property or society, since even if these were or could be known in a strictly historical sense, that information, Hume maintained, was neither likely nor sufficient to establish the legitimacy of property ownership or government.77 Both property ownership and government, Hume asserted, were social practices and/or institutions whose legitimacy was a function of time and "constant possession."78

Not surprisingly, the objective of such an argument was to emphasize the importance of social stability, and this, in turn, depended upon acceptance of the proposition that, with respect to property, it was best "that every one continue to enjoy what he is at present possessed of."79 Hence, even if one could imagine a more equitable distribution of property according to a utilitarian standard of justice, Hume argued, the collective action required to bring about such a restructuring of social relations would produce more pain than benefit to society, and so ought not to be undertaken.80 Nevertheless, the policy implications of Hume's general argument with respect to poverty are not unequivocally clear. For, while there could be no Humean natural right to poor relief, the latter was a longstanding custom and legal practice, and Hume's position supplied no compelling reason for its abandonment.

It was Hume's friend, Adam Smith, who played a critical role in reformulating the eighteenth-century debate concerning poverty. Although Smith declared in the Wealth of Nations that, "civil government . . . is in reality instituted for the defence of the rich against the poor, or of those who have some property against those who have none at
all," he also maintained in that work that "no society can surely be flourishing and happy, of which the greater part of the members are poor and miserable. It is but equity, besides, that they who feed, clothe and lodge the whole body of the people, should have such a share of the produce of their own labor as to be themselves tolerably well fed, clothed and lodged." Smith advocated "a liberal reward of labour" because, he argued, high wages for the laboring poor were a "natural symptom of increasing national wealth," while a "scanty maintenance of the labouring poor" was a sign of economic stagnation. In rejecting Mandeville's assertion that national wealth "consists in a multitude of laborious poor" whose wages were to be kept at the level of bare subsistence — a basic assumption of the utility of poverty argument — Smith transformed poverty from being a precondition for economic development into a symptom of economic decline. It is all the more amazing that Smith advanced this argument during a period (1750–76) when the poor rates doubled and the level of anxiety amongst taxpayers concerning the costs of poverty was greatly intensified.

Yet, how was it possible for a commercial nation paying high wages to remain competitive in the world of international trade? And how could the extreme inequality in the distribution of property characteristic of a commercial society be compatible with the satisfaction of the laborers' needs? To these questions, Smith gave a simple answer: it was the division of labor in the process of production that explained the productivity of labor and, therefore, the wealth of the nation. "The division of labour by which each individual confines himself to a particular branch of business," Smith wrote, "can alone account for the superior opulence which takes place in civilized societies and which, notwithstanding the inequality of property, extends itself to the lowest members of the community." In lowering the unit labor costs of manufactured goods for export through the division of labor, Smith argued, it was possible for the real wages of the laboring poor to rise so long as the economic system as a whole remained in a state of dynamic expansion.

Smith specifically linked the progressive advancement of society to improvements in the condition of the laboring poor, and not simply to an increase in per capita income. It was a brilliant, if radical, move in the long debate over poverty, for it offered a chance to escape from the marshy ground of morality, religion, or politics by placing the social problem of poverty on the solid terrain of economics. If Smith was right, a free market economy would generate sufficient wealth to satisfy the needs of the laboring poor, thus obviating any debate over the "right" to poor relief or the empirically grounded objections to the high poor rates paid by property-owners. How this solution to the problem of poverty fits into Smith's social thought, viewed as a whole, is the subject of an ongoing debate amongst interpreters of his thought, but the point I want to stress is that Smith took the bold step of linking poverty with the dynamic workings of the economic system of production. Thereafter, the continued existence of poverty could be viewed — as it was by Marx — as a structural defect of the economic system, i.e., capitalism.

Despite the generally favorable reception accorded to the Wealth of Nations, the fact is that most of Smith's contemporaries were not willing to make his leap of faith with respect to the problem of poverty. It is true that, by the end of the eighteenth century, the utility of poverty argument was generally discredited, and the importance of the division of labor as a technique of production was generally conceded, but other aspects
of Smith’s argument concerning poverty met stiff resistance. Edmund Burke, for example, who openly professed himself to be a disciple of Smith, refused even to accept the category of “the laboring poor,” a term employed by Smith throughout the Wealth of Nations. "We have heard many plans for the relief of the ‘laboring poor,’” Burke declared, but such plans are foolish, if not pernicious, since “to provide for us in our necessities is not in the power of government.” Hence, “meddling with the subsistence of the people,” Burke insisted, is a misdirection of energy; the poor must be left to provide for themselves, and, whatever the material outcome of their efforts, they must learn to accept their condition with patience and submission. Doubtless Burke believed he was following Smith in stating that “labor” was a “commodity” subject to the “rules of commerce” like any other commodity. But Burke not only went on to argue that those rules could not be suspended in order to accommodate the needs of the poor arising from unemployment or a large family, but also, unlike Smith, to maintain that poverty was not a social problem at all.

Frederick Eden, in his influential three-volume work The State of the Poor, published in 1797, agreed with Burke that to suggest that an individual had a right to food, lodging, or clothing was to propagate “an idea that undermined the strongest ties of civil society.” The poor, Eden warned, should not be deceived: “the best relief they can receive must come from themselves.” In The State of Indigence, and the Situation of the Casual Poor in the Metropolis Explained (1799), Patrick Colquhoun also reformulated Burke’s argument, maintaining that if those who labored were poor, then poverty was not a problem but merely a normal feature of society. Only those unable to labor, the indigent, Colquhoun wrote, could be regarded as having needs to be met through private or public relief.

Jeremy Bentham, who, like all those cited above, viewed himself as an adherent of Smith’s political economy, also rejected the concept of the laboring poor, reinstating the traditional distinction between the idle and the industrious poor. The latter, Bentham argued, were to be excluded from the discussion of poverty. Those who labored for their subsistence might be poor, Bentham wrote, but if so, their condition was “the general, and the unchangeable lot of man.” The idle poor – or paupers as Bentham preferred to call them – on the other hand, were undeserving of public assistance; what they required was to be put to work. Bentham devised a scheme modeled after his prison reform plan to establish large “Houses of Industry” throughout the country where the conditions of strict discipline would make residency in the workhouse “less desirable” than the conditions of the poorest individuals living outside it.

Like Hume, Bentham recognized that greater equality in the distribution of property represented a closer approximation to a utilitarian standard of justice than could be derived from the socioeconomic inequalities characteristic of eighteenth-century Britain. Yet, like his predecessor, Bentham could not accept “forced equalization” through political action as a remedy, nor could he accept Smith’s reliance upon the market as a systemic solution to the problem of poverty. Instead, Bentham reasserted the Humean – and Burkean – priority of social stability as the fundamental principle of a theory of justice. Not only did such a theory exclude any notion of a natural right to poor relief on the grounds that all natural rights claims were a “fiction,” but also, as Bentham and his contemporaries recognized, such natural rights arguments were
especially dangerous as a practical threat to social stability when they were disseminated amongst the poor.\textsuperscript{94} As the author of \textit{A Short Treatise on the Dreadful Tendency of Levelling Principles} (1793) observed, it was the language of natural law and natural rights that led the poor to believe that violence against the rich could be justified as the reclaiming of a natural right to poor relief.\textsuperscript{95} Whatever the alleged defects of Smith's economic argument, after 1776, there were convergent political reasons for rejecting his positive and "democratic" view of the laboring poor.\textsuperscript{96}

All the themes of the counterattack expressed in a flood of pamphlets published in the 1790s denouncing the dangerous leveling doctrine of a right to poor relief were given their most dramatic and influential formulation in Thomas Malthus's \textit{Essay on Population}. "No possible contributions or sacrifices of the rich," Malthus observed, "could for any time prevent the recurrence of distress among the lower members of society." Thus, poor relief was not only a misnomer—it could not raise the standard of living of the poor—but also, Malthus argued, it was a "check to productive industry." Poor relief encouraged idleness and vicious habits among the poor.\textsuperscript{97} Malthus attacked the workhouses and the general assumption underlying their existence, namely, that the government could provide employment for the poor. He denied that individuals possessed a natural right to subsistence, insisting that the poor would simply have to accept their condition as an "absolutely irremediable" feature of society.\textsuperscript{98} This was the case, Malthus argued, not merely for the philosophical or theological reasons advanced by Bentham, Burke, and others, but also—and here Malthus supplied the compelling argument missing in a Humean analysis which defended the importance of custom or tradition—for reasons of scarce economic resources. "The sole reason why I say the poor have no claim of right to support," Malthus wrote, "is the physical impossibility of relieving this progressive population [growth]."\textsuperscript{99}

Moreover, Malthus, like Bentham, invoked an older view, suggesting that poverty "ought to be held disgraceful." Prosperity was simply an expression of virtue providentially directed.\textsuperscript{100} Hence, as one of the Commissioners of the New Poor Law of 1834 remarked, in compelling the idle poor to be "industrious, sober, provident... the workhouse" represented "the law of necessity imposed by Providence upon mankind."\textsuperscript{101}

Indeed, in the 1834 Report of the Poor Law Commissioners, the authors candidly admitted that if poverty "had been principally the result of unavoidable distress, we must have inferred the existence of an organic disease," that is, some defect in the structure of social relations. Instead, the commission viewed poverty as the consequence of the "fraud, indolence, and improvidence" of the poor themselves. Poverty, they assumed, was a consequence of "misconduct," not "misfortune."\textsuperscript{102} Naussau Senior, one of the Poor Law Commissioners, attacked the belief in "the rights of the poor" to relief as one of those "monstrous and anarchical doctrines" which threatened to destroy "the relation between the employer and the laborer," which was a contractual relationship. For Senior, as for most classical political economists, there was no naturalistic, pre-political form of social relations, such as Locke had postulated. Rather, Senior insisted, the contractual relations of the market were "the most extreme and most important of all political relations."\textsuperscript{103} Thus, whether the laws of the market were identified with providential design or were politicized to the point of being the essence of all contractual social relationships, poverty ceased to be a social problem. The very
notion of a surplus population of unemployed disappeared with the acceptance of the idea of a self-regulating market.\textsuperscript{104}

If, as has been suggested, the 1834 poor law reflected the Whig government's desire "to reassert the power of the law against the expectations of the laboring poor," it succeeded by eliminating them from its definition of poverty.\textsuperscript{105} The Poor Law Report agreed with Burke and Bentham that those who labored for subsistence were, in effect, commodities subject to the forces of the market. It also agreed with them that the poor should be made to feel uncomfortable with respect to any request for public assistance and that the poor possessed no rights, either to relief or to be free from the strict discipline and loss of privacy associated with residence in the workhouse. Even if one accepts the judgment of a respected economic historian that the Poor Law Commissioners' "analysis of the problem of poverty was defective, their diagnosis inaccurate, and the recommendations ineffectual," the fact remains that a certain conception of poverty acquired considerable social significance as a consequence of being incorporated into and enforced by the 1834 poor law.\textsuperscript{106}

Notes

i wish to thank John Brewer for his helpful comments on this essay.


3 Locke, First Treatise, pars 86–93, 97; Second Treatise, par. 25.

4 Second Treatise, pars 7, 16, 135, 171, 183.

5 First Treatise, par. 42.

6 Second Treatise, par. 183.


9 Second Treatise, pars 32, 35.

10 Ibid., pars 38, 184.


12 Second Treatise, par. 42.


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18 I have discussed this point in "Radical anticlericalism and the problem of authority in Locke's thought." presented to a conference at Le Moyne College, Syracuse, NY, September 25–7, 1991.


20 Roger North, A Discourse of the Poor (1753), pp. 40–1; Considerations on Fatal Effects (1763), p. 2; J. W., Letter to a Member of Parliament (1767), p. 14.


22 For Locke’s memo on the poor laws, see Fox-Bourne, Life of Locke, Vol. 2, pp. 377–91;

Thomas Firmin, Some Proposals for the Employment of the Poor (1681).


29 Bayly, State of Poor, pp. 60–1.


33 An Account of Several Workhouses (1732; 2nd edn), p. iii; Crowther, Workhouse System, p. 41.


35 Account of Several Workhouses, p. iii. In his History of the Poor Laws (1764), pp. 213–14, Richard Burn noted the shift in attitudes toward the poor from an Elizabethan concern for the maintenance of the poor to the employment of the poor which occurred at the end of the seventeenth century. For a discussion of this debate concerning employment of the poor, workhouses, and the advancement of trade, see Furniss, Position, pp. 85–95.

36 Bellars, Essays About the Poor, p. 5; John Bellars, An Essay for Employing the Poor to Profit (1723); Haines, England’s Wealth, p. 12; Haines, Proposals for Building, p. 7; Particular Answers, p. 14; Considerations on Fatal Effects, p. 39.

37 Account of Several Workhouses, p. vi.


Ibid., preface.


Ashcraft, *Revoluntary Politics*, Ch. 7.

*An Enquiry into the Nature . . . of Public Credit* (1747?), pp. 10–11.


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Horne, Property Rights, pp. 125, 217, 230, 239.


Observations on Misery of the Poor, pp. 32-3.

Richard Price, Postscript to . . . Additional Observations (1773), pp. 380-1; Murray, Teacher of Common Sense, pp. 1-49.

Ogilvie, Right of Property, pp. 14-5, 188, 229.


Horne, Property Rights, p. 146.


Hume’s Moral and Political Philosophy, p. 104.

Ibid., pp. 360-2, 368; cf. p. 117.


Ibid., p. 71.

Horne, Property Rights, p. 97.


Ibid., pp. 75, 83.


Slack, English Poor Law, pp. 31, 33-4.


Poynter, Society and Pauperism, pp. 52-3; Himmelfarb, Idea of Poverty, pp. 68-71.

Ibid., pp. 162-3; Himmelfarb, Idea of Poverty, pp. 57-8; Poynter, Society and Pauperism, p. 54.


Ibid., pp. 119.


Ibid., p. 152-4.

Poynter, Society and Pauperism, p. 122.


Poynter, Society and Pauperism, p. 152.


Ibid., pp. 315–16. As Crowther remarks, "Previously the labourer had been guaranteed a subsistence; now he was offered a punitive workhouse," a shift in consciousness that accompanied "the growth of capitalism and of a market economy," *Workhouse System*, p. 19.


On the assumption in the 1834 Poor Law Report that unemployment would disappear, see Boyer, *Economic History*, p. 64.

Dunkley, "Whigs and paupers," p. 129.