

From Townsend and Malthus to the Poor Law Report: An Examination of the Influence of Ideas Concerning the Relationship of Public Aid and Reproduction on Policy Development, 1786-1834

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Abstract

Current welfare policies denying additional benefits to women who have children while on assistance are premised on the idea that the giving of aid causes reproduction, an idea that has its origins in earlier debates over aid policy. This paper examines ideas concerning the relationship of public aid policy to reproduction by its recipients in late eighteenth and early nineteenth century England, and the influence of these ideas on the poor law policy of the period. The thoughts of leading theorists on this relationship, such as early political economists Joseph Townsend and Thomas Robert Malthus, are analyzed. This examination shows that these theorists asserted that the giving of aid led to reproduction by its recipients. Further analysis of proposed and enacted policies, particularly the Poor Law Reform of 1834, shows that these ideas asserting a relationship between poor relief and reproduction appear to have influenced policy in this era.

Keywords: family cap, Malthus, poor law, public welfare, reproduction

Introduction

Debates over the impact of the giving of public aid on reproduction by its recipients have dominated discussions of public welfare policy over the last 30 years in the United States, and indeed earlier, leading to the enactment in about half the states of so-called family cap policies that restrict the amount of aid given to women who have children while receiving benefits (Reese, 2005). The rationale for these policies is that they will reduce the presumed incentive to reproduce that results from increasing welfare benefits based on family size. These policies have spread to 24 states, despite a preponderance of evidence that shows that they have little, if any, impact on poor women's reproductive decisions (Smith, 2006). It appears, then, that *ideas* about causal connections between aid giving and reproduction are more determinative than evidence in this policy area.

As this paper will illustrate, this is not unprecedented. While the specific policies may be relatively new, the ideas that lie behind them are not. Recent scholarship has been directed at the impact of the general belief that the giving of aid to that in need somehow harms them, and exacerbates the problems it is directed at resolving. This position has been termed the "perversity thesis" by sociologists Fred Block and Margaret Somers, following the groundbreaking work of Albert O. Hirschman in his important book *The Rhetoric of Reaction: Perversity, Futility, Jeopardy* (Somers & Block, 2005). The basic concept is simple - any attempt to "interfere," with the natural workings of the market, whether via public or private agency - but most especially public - will inevitably produce adverse effects in a variety of aspects of human behavior. The essence of the perversity thesis is that governmental policies that provide aid to those in need promote counter-productive behaviors by the recipients of such aid. Among the most frequently identified examples of these behavioral consequences of aid provision are those concerning reproduction, sexual behavior and family formation.

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As Block and Somers (2003) put it in an earlier article on the subject, "[t]he core of the perversity thesis is that well-intentioned policies that provide assistance to the poor by means of state intervention will inevitably harm recipients by substituting perverse incentives in place of market mechanisms that teach the poor to work hard and exercise sexual restraint." It is toward this last issue that this study is directed, the issue of the lack of "sexual restraint," leading to reproduction, that is supposedly produced by the giving of public assistance. This research, then, examines a specific component of the "perversity thesis or what the influential conservative social scientist Charles Murray termed "the law of unintended consequences" (Murray, 1984). It is clear that the idea that public aid - whether termed "poor relief" or "welfare," - provides "perverse incentives" to reproduce, is central to the arguments of those who have attempted to curtail its provision on these grounds. And, as indicated, these ideas are not new. In late 18th century in England, economic and social theorists began to assert that the giving of public assistance led the recipients of this aid to reproduce, or "multiply," as they often put it. In order to understand what led to the assertion of such causal relationship between relief and reproduction at this time, it is necessary to examine the historical policy developments that led to their initiation.

Late 18th Century Humanitarian Reforms

In the late eighteenth century in England, there was a movement toward what historian Raymond Cowherd terms a more "humanitarian" orientation toward poor people, which prevailed for the remainder of the century (Cowherd, 1977, pp. xiv-xv, 1-23). The most notable expressions of this were Gilbert's Act of 1782 and the so-called "Speenhamland system" enunciated in 1795. These reforms led to a wide array of critiques asserting that there were a variety of negative consequences of these public aid systems, among them a tendency to lead to reproduction on the part of the poor. The most prominent of these critics were Anglican clergyman Joseph Townsend and the clergyman/academic Thomas Robert Malthus, who are both considered to be among the early political economists. In order to appreciate the historical context that produced their critiques, it is important first to understand the humanitarian reforms that preceded them, and led to their development.

Gilbert's Act

"Gilbert's Act," officially termed *An Act for the Better Relief and Employment of the Poor* [22 Geo. III. c. 83], established a qualified right to public aid for able-bodied unemployed persons. Because of this, this legislation was quite controversial, as outdoor relief had been given on a comparatively restrictive basis prior to this. However, its provisions were primarily voluntary, rather than mandatory, so it was not as sweeping a reform as some contemporaries thought. Despite this, the law is generally regarded as one of the most important poor laws enacted in this period. Some poor law historians ascribe even greater significance to it, asserting that it was "perhaps the most influential, for good and evil, of all the scores of Poor Law statutes between 1601 and 1834" (Webb & Webb, 1927, p. 172, n. 1). Gilbert's Act is thus a significant development in this movement toward humanitarian reform. While these reforms had limitations, they still marked an important shift in policy.

Speenhamland System

Another important milestone in this era of humanitarian reform, one that ultimately led even more directly toward reaction against the poor law, was what came to be known as the Speenhamland system, sometimes also referred to as the "allowance system," or "Berkshire bread scale." This policy - first announced by the Justices of Berkshire at a meeting in May of 1795 at the Pelican Inn, in the district of Speenhamland - consisted of the provision of support to able bodied laborers from poor relief funds, based on the price of bread. This approach involved supplementing wages paid by employers with payments from the poor rates, or taxes, and is therefore also frequently termed a "rate-in-aid-of-wages." It arose out of economic and social changes that were occurring at the time, and also from the dominant thinking of the time regarding the relation of the laboring poor to the larger society. The chief economic factor that prompted the initiation of Speenhamland was an increase in the cost of food relative to the wages of laborers. Speenhamland also reflected a Mercantilist philosophy that would later be termed pro-natalist by demographers; that is, it at least tacitly sought to increase population (Furniss, 1957 p. 28). Population growth, in the Mercantilist view, was seen as being a beneficial phenomenon. Overall societal wealth was emphasized during the Mercantilist period, and labor was thought to be the prime variable in creating such wealth - more central, perhaps, than natural resources.

As Mencher (1967, p. 7) observed, "[n]atural resources were important to a country, but it was labor that converted these resources into economic value, and it was upon labor that national wealth depended." If labor was essential to national wealth, then "a supply of labor sufficiently large is necessary" (Mencher, 1967, p. 12). Thus, Mercantilist thought emphasized a need to expand labor supply and control it. Expanding the labor supply implies, at least in part, an increase in population.

According to William Pitt, the Prime Minister at the time, one of the purposes of this approach was to "make a large family a blessing . . . [so that] those who after having enriched their country with a number of children, have a claim upon its assistance and support" (de Schweinitz, 1943/1961, p. 73). This view, as we will see, was already being questioned even as Pitt and the Justices of Berkshire were enunciating it - and the ideological attack on this policy approach would only intensify, leading to one of the most significant shifts in the history of English Poor Law Policy.

This reform movement sparked much debate and reaction. The reaction was in part directed against these developments in England; but also, against the doctrines of the "Rights of Man" enunciated in the French Revolution. This reaction to the liberalization of public relief was promoted by a group of thinkers who were advancing a new science that was given the name political economy (Cowherd, 1977, pp. xiii; 6-7). These theorists asserted ideas based on what they saw as natural law. With regard to poor relief, they conceived it as an interference with what they saw as the natural workings of the market economy. One key element of their attack on poor relief was this belief that the giving of aid results in negative or perverse consequences, what Hirschman (1991) has termed "the perversity thesis." Sociologists Fred Block and Margaret Somers have applied this analysis specifically to Speenhamland and the subsequent debate over reforming the poor law, drawing parallels with later periods of reform, illustrating some universal themes underlying attacks on humanitarian public aid "regimes" (Block & Somers, 2003, p. 2; Somers & Block, 2005).

In part because of its presumed perverse effects, toward the end of the eighteenth century the Mercantilist focus on promoting population increases began to come under attack. Attention to these increases and the desire to control them at the dawning of the new industrialized economic system - by a variety of theorists and reformers - was probably driven as much by the needs of capitalism for a cheap labor supply as it was by any moral concerns over the reproductive behavior of the poor. The first major critique of existing poor law policy appeared in the 1780s, in part as a response to the humanitarian reform of the period.

Townsend's Ideas on the Relationship of Public Aid to Reproduction

Perhaps the earliest suggestion in this period that the giving of public aid has an impact on reproduction occurs in the work of the English clergyman Joseph Townsend, whose *Dissertation on the Poor Laws, By a Well-Wisher to Mankind*, was published in 1786. It was written, at least in part, as a reaction against the liberalizations enacted in Gilbert's Act (Cowherd, 1977, p. 6). In this brief tract, Townsend sought to expose the supposed harmful effects of the Poor Laws in England on the welfare of humankind. Presaging the later writings of Malthus, Darwin and Spencer, Townsend conceived of human society as one which was ruled by what was later termed natural selection; that is, one in which the more competent and strong would flourish, while those seen as weak would and should suffer the consequences of their condition. Townsend saw the Poor Laws as an artificial interference with this process, one that was profoundly destructive of the social order.

With respect to their effect on population, Townsend contended that, as the Poor Laws provided people with food who might not otherwise have been able to obtain it, they resulted in increased population, for "[i]t is the quantity of food which regulates the number of the human species" (Townsend, 1786/1971, pp. 38). He went on to assert that "[a]s long as food is plenty, they will continue to increase and multiply. . ." (Townsend, 1786/1971, pp. 38). Townsend saw the poor laws as interfering with the natural process by which food should be distributed amongst the population, arguing that

[o]ur poor laws are not only unjust, oppressive, and impolitic, nor are they merely by accident inadequate to the purpose for which they are designed; but they proceed upon principles which border on absurdity, as professing to accomplish that which, in the very nature and constitution of the world is impracticable.

They say in England no man, even though by his indolence, improvidence, prodigality and vice, he may have brought himself to poverty, shall he ever suffer want. In the progress of society, it will be found, that some must want; and then the only question will be this, Who is the most worthy to suffer cold and hunger, the prodigal or the provident, the slothful or the diligent, the virtuous or the vicious? (Townsend, 1786/1971, pp. 36)

This was, to Townsend, intolerable; for it shifted food, and by implication, population growth, from those he considered "worthy" to those he considered "unworthy," by creating a "community of goods" on which the poor could rely.

Townsend, then, did not consider population growth, in and of itself, to be a problem; in fact, if the population growth occurred among those who he deemed worthy - the provident, the diligent or the virtuous - he seemed to have welcomed it, reflecting the Mercantilist belief that "the wealth of a country consists in the number of its inhabitants" (Townsend, 1786/1971, pp. 42). It was population growth among those he deemed unworthy, with which he was most concerned, and for which he thought the Poor Laws responsible. He contrasted the possibilities of population growth of the worthy with that of the unworthy:

When industry and frugality keep pace with population, or rather when population is *only* the consequence of these, the strength and riches of a nation will bear proportion to the number of citizens: but when the increase is *unnatural and forced*, when it arises only from a community of goods, it tends to poverty and weakness [emphasis added] (Townsend, 1786/1971, pp. 42).

The Poor Laws were thus seen by Townsend as creating an "unnatural and forced" form of population growth that would lead to harm to society as a whole. The connection between the giving of aid and reproduction had been established, and it was an idea that was to have important consequences for social welfare policy from this time forward. This theme is repeated constantly as poor relief policies grow and develop in western societies. It achieved its greatest initial impetus in the years following the promulgation the Speenhamland System, and most notably in the writings of political economist Thomas Robert Malthus.

Malthus: The Effects of Poor Relief on Reproduction

The most famous statement in this period of this hypothesized connection between public aid and reproduction by its recipients is found in a work that followed shortly after that of Townsend, Malthus' *Essay on the Principle of Population*, originally published in 1798. Malthus contended, as had Townsend, that the Poor Laws were not only harmful to society, but went further, to suggest that they were detrimental to poor people themselves:

The poor laws of England tend to depress the general condition of the poor in these two ways. Their first obvious tendency is to increase population without increasing the food for its support. A poor man may marry with little or no prospect being able to support a family without parish assistance. They may be said, therefore, *to create the poor, which they maintain*. . . [emphasis added] (Malthus 1798/1926, p. 83).

This is the most direct statement contained in the first edition of the *Essay* (sometimes referred to as the *First Essay on Population*), published in 1798, that asserts that poor relief leads to reproduction on the part of the poor. In subsequent editions, beginning in 1803, Malthus dramatically expanded the essay, such that it, as he asserted in the preface to the Second Edition, "may be considered as a new work" (Malthus 1817/1996, vol. 1, p. vi). One of the notable aspects of the essay that underwent significant expansion, without substantially altering the basic premises, was the material on poor relief and its effects.

Perhaps the most explicit assertion of the causal connection between public aid and procreation is found in these later editions of the *Essay*, when Malthus contends that "our poor laws at present regularly encourage marriage and children, by distributing relief in proportion to the size of families" (Malthus 1817/1996, vol. 3, Book IV, Chapters 10-11, p. 242). Malthus, then, is more specific in his assertion of a direct relationship of relief to reproduction, than is Townsend - particularly in the second and subsequent editions of the *Essay*.

Malthus' Critique of the Poor Law

The three chapters on the poor law and their effects, found in the later editions, contain the heart of Malthus' assertions regarding the relationship of poor relief to population increases. While much of the analysis contained in the first edition with respect to the effects of the poor laws was retained, it was significantly expanded. Malthus suggests that public aid systems will inherently cause increasing human misery and population growth among all poor people, even those who do not actually receive aid:

The radical defect of *all* such systems of the kind is that of tending to depress the condition of those who are not relieved by parishes, and to *create more poor* [emphasis added](Malthus, 1817/1996, vol. 2., p. 338).

Interestingly, Malthus may have anticipated subsequent empirical critiques, or more likely have responded to contemporary ones, by suggesting that there were reasons why the operation of the poor laws might *not* result in increasing procreation. The most important of these were countervailing behaviors of the poor themselves, and the operation of settlement policy. Malthus first observes that the conditions under which relief is given, and also the attitude of the poor toward receiving it, may deter them from marrying, and by implication, reproducing:

The scanty relief granted to persons in distress, the capricious and insulting manner in which it is sometimes distributed by the overseers, and the natural and becoming pride, not yet quite extinct among the peasantry of England, have deterred the more thinking and virtuous part of them from venturing on marriage (Malthus, 1817/1996, vol. 2., p. 343).

He then goes on to elaborate on a possible motivation for this positive behavior on the part of poor people, in the face of the incentives to procreate offered by the poor laws:

The desire of bettering our condition . . . is continually counteracting the disorders arising from narrow human institutions. In spite of the *prejudices in favor of population*, and the *direct encouragements to marriage from the poor laws*, it operates as a preventive check to increase [emphasis added](Malthus 1817/1996, vol. 2, pp. 343-344).

Malthus then suggests that a specific aspect of poor law policy - settlement law - may act as a counter-weight against the population-increasing influence of the giving of aid, by causing local jurisdictions to deny it, and thus make it more difficult to obtain:

[B]esides the spirit of independence and prudence, which checks the frequency of marriage, *notwithstanding the encouragements of the poor laws*, these laws themselves occasion a check of no inconsiderable magnitude, and thus counteract with one hand what they *encourage* with the other. As each parish is obliged to maintain its own poor, it is naturally fearful of *increasing their number*. . . [emphasis added] (Malthus 1817/1996, vol. 2, p. 344).

Thus, it is clear from Malthus' writing on this subject that without any policies deterring poor people from obtaining aid, or making it more difficult to access, the impact of the poor laws on increasing population would be even greater in his view. The harsh terms on which aid was offered interacted with a natural inclination to independence, to produce what Malthus termed a "laudable repugnance" for receiving assistance. One of Malthus' most explicit assertions of the tendency of the poor laws to cause reproduction occurs when he attacks a proposal for "foundling hospitals," similar to those established by Jonas Hanway in the 1760s. Malthus posits that these would offer a direct "encouragement to population," as would general "public support for the children of married persons." This would then lead to "redundant" population. He concludes that as a result this sort of assistance to poor people - particularly that provided for children - there "must be an increase somewhere or other. . . of vicious procreation" (Malthus, 1817/1996, vol. 3, pp. 228-229). His belief that poor relief leads to undesirable population growth could not be clearer. Malthus contended that it was the poor laws themselves that were the cause of the misery of the poor, primarily because they encouraged the poor to have children without having the means to support themselves. He argued that the existing poor relief system taught the poor to engage in a variety of counter-productive behaviors, and impeded the "moral restraint" or "prudence" that would cause the poor to refrain from having children in the absence of such perverse incentives. In discussing the "lessons" imparted to poor people by existing poor law policy, he argued that

They are taught that there is no occasion whatsoever for them to put any sort of *restraint* whatever upon *their inclinations*, or exercise any degree of *prudence* in the affair of marriage; because *the parish is bound to support all who are born*. . . . They are taught that the command of the Creator to increase and multiply is meant to contradict those laws which he has himself appointed for the increase and multiplication of the human race; and that it is equally the duty of a person to marry early,. . . .when *the children of such marriages can all be well maintained*, and there is room and food for a great and rapid *increase of population* [emphasis added].(Malthus, 1817/1996, vol. 2, pp. 372-373).

Malthus believed that such policy was destructive, as it led to reproduction by poor people, because it encouraged precisely those behaviors that led to perverse effects, and discouraged those that would naturally act to impede these negative consequences. By removing what he saw as the natural incentives to refrain from sexual intercourse created by economic insecurity, the poor laws inevitably would lead to unrestrained reproduction on the part of poor people. Malthus maintained that such a system "taught that all who are born have a *right* to support . . . whatever their number, and that there is no occasion to exercise any prudence in the affair of marriage, so as to check this number"[emphasis in original]. Because of this, "the temptations, according to all the known principles of human nature, will inevitably be yielded to, and more and more will gradually become dependent on parish assistance"(Malthus, 1817/1996, vol. 2, p. 380). The ultimate result of poor law policy, then, would be more poverty and greater misery for poor people.

Malthus' Proposals for Reform of the Poor Laws: Ideas and Justifications

Malthus's views on the relationship of poor relief to reproduction are also illustrated in the proposals he puts forth for reform of the poor laws. Initially, in the first version of the essay, these ideas were somewhat general. Central to them, as Malthus clearly stated was "the total abolition of all the present parish-laws" (Malthus, 1798/1926, p. 95). This he conceived of as a "preliminary" to any plan of reform of the poor relief system in England (Malthus, 1798/1926, p. 98). However, as historian J. R. Poynter (1969, p.156) observes, this did not mean the complete abandonment of poor relief, but rather the "establishment of a new national workhouse scheme." In the First Essay, Malthus suggests "for cases of extreme distress, county workhouses might be established" (Malthus, 1798/1926, p. 97).

In the revised and expanded editions of the essay, the central aspect of these ideas took the form of what Malthus termed "the *gradual* and *very gradual* abolition of the poor laws" [emphasis in original] (Malthus, 1817/1996, vol.2, p. 369). In these subsequent permutations of the *Essay*, Malthus was clearly sensitive to those who criticized his proposals as being excessively harsh, and he was at pains to suggest that his reform would be "so gradual as not to affect any individuals at present alive, or who will be born within the next two years" (Malthus, 1817/1996, vol.2, p. 369, *n. a*). In order to counter what he saw as the perverse effects of the poor law, Malthus wanted to promote policies that discouraged destructive behavior on the part of poor people. He was most specifically concerned with discouraging them from believing that they had any "right to support," and particularly support for children. He emphasized that to

[achieve] this end, I should propose a regulation to be made, that *no child born* from any marriage, taking place after the expiration of a year from the date of the law, and no illegitimate child born two years from the same date, *should ever be entitled to parish assistance* [emphasis added] (Malthus, 1817/1996, vol. 3, p. 179).

To maximize the effectiveness of these policy changes, Malthus specifically suggested a campaign to indoctrinate poor people in the attitudes and ideas that underlay his proposals, in order "to give a more general knowledge of this law, and to enforce it more strongly on the minds of the lower classes of people"(Malthus, 1817/1996, vol. 3, p. 179). To accomplish this

the clergyman of each parish should . . . read a short address, stating the strong obligation on every man to support his own children; the impropriety, and even immorality, of marrying without the prospect of being able to do this; the evils which had resulted to the poor themselves from the attempt which had been made to assist by public institutions. . . ; and the absolute necessity. . .of abandoning all such institutions " (Malthus, 1817/1996, vol. 3, pp. 179-180).

The ideas of Malthus and Townsend influenced later observers of the Poor Laws, both within and outside of government. Following the issuance of Malthus' expanded edition of the *Essay* and the republication of Townsend's *Dissertation* in 1817, a poor law commission issued a report which - while not as influential as the later Report of 1834 - contained many of the ideas that would eventually be incorporated into the latter document (Poynter, 1969, p. 225). The manner in which these basic premises were translated into governmental policy will now be reviewed.

Poor Law Reform Commission of 1817

Concern over the effects of the poor laws increased in the early decades of the nineteenth century, not the least because costs were thought to be rising dramatically. These concerns led to the formation in 1817 of the House of Commons Select Committee on the Poor Laws. This committee was composed of prominent members of Parliament such as William Sturges Bourne, who served as chair; and Thomas Frankland Lewis, who was the principal author of the report (McKay, 1900/1967, p. 22; Cowherd, 1977, pp. 56-57). Their report was "the most important document in the poor law controversy" up to that time (McKay, 1900/1967, p. 22). Although there had been prior governmental investigations into the poor laws in 1803, 1812, and 1816, these were not as comprehensive or as directly influenced by Malthusian theories; nor did they have the impact of the 1817 Committee (Cowherd, 1977, pp. 21-22; Poynter, 1969, pp. 187, 201).

The authors of the 1817 Committee Report accepted without question the idea that public aid caused perverse behavior in poor people, including the tendency to reproduce:

Your Committee cannot but fear, from a reference to the *increased numbers of poor*. . .that this system is perpetually encouraging the amount of misery it was designed to alleviate, creating at the same time an unlimited demand on funds. . .[emphasis added] (House of Commons, 1817, p.7).

In the following passage, they even more explicitly reflect Malthusian notions of the relationship of relief to reproduction, and its tendency to then result in further perverse effects:

[C]ompulsory contribution for the indigent. . .could not fail in the process of time, with the *increase of population which it was calculated to foster*, to produce the unfortunate effect of abating. . .exertions on the part of the labouring classes [emphasis added] (House of Commons, 1817, p.7).

The analysis of later observers confirms the direct influence of the ideas of Townsend and Malthus on these assertions. The Webbs note that "[t]his Committee, it will be noted, emphatically endorsed the ideas of Townsend. . .that pauperism was an artificially induced disease of society, and unreservedly accepted from Malthus the 'Principle of Population'" (Webb & Webb, pt. 2 vol. 1, 41-42.). Boyer (1990, p. 59) supports this, suggesting that its "intellectual roots were Townsend's *Dissertation on the Poor Laws*, which argued that relief was unnecessary;. . .and Malthus' theory of population, which showed that outdoor relief increased the numbers of paupers in the long run." Poynter (1969, pp. 245, 257) terms the report "a dogmatic summary" of the Malthusian abolitionist position that is characterized by "haphazard empirical investigations" designed to reiterate "all of the common moral and economic arguments against the Poor Law. . .without qualification." Not surprisingly, in its policy recommendations, the committee "incorporated into its Report the policies advocated by natural law reformers from Joseph Townsend to Thomas R. Malthus" (Cowherd, 1977, p. 57).

This report did not result in any significant policy reform, with only three minor laws being subsequently enacted (Nicholls, 1898, p.179). Although it did not have much direct impact upon legislation, it facilitated the transfer of the ideas of Townsend and Malthus into policy, as it contained the "major arguments for abolishing the poor law" on the basis of these theories "17 years before the appearance of the 1834 Poor Law Reform Report" (Boyer, 1990, p.59). Thus, this report is extremely important, as it both influenced and foreshadowed the far more influential report in 1834, a subject to which this analysis now turns.

Report of the Poor Law Inquiry Commission, 1834

The *Report of His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws*, frequently termed the "Poor Law Inquiry Report," was issued in 1834, following two years of extensive research.

It has been the subject of extensive criticism and analysis ever since, often focusing on the accuracy of its findings, and the biases that were thought to characterize the commission's work. The quality of the commissioners' research is, not however the subject of this analysis; rather, it is the process by which they translated the ideas of Townsend, Malthus, and others into policy concerning relief and reproduction that is of concern.

Ideas Concerning Relief and Reproduction

As indicated above, the process of translating Malthusian ideas concerning the impact of public aid on reproduction had already begun with the 1817 Poor Law Committee report. This continued in the 1834 document. The Commissioners made some direct assertions about the effect of the poor laws that were based clearly on the ideas of Townsend and Malthus - although neither of these theorists is directly quoted, or attributed, in the report. Perhaps the strongest evidence for direct Malthusian preconceptions informing the Commissioners' inquiry is found in the following passage discussing the manner in which laborers should view wages. It reflects the thinking of contemporary political economists generally, and Malthus in particular, almost to the point of recapitulating language found in the *Essay*:

We deplore the misconception of the labourers that wages are not a matter of contract, but of right; that any diminution of their comforts occasioned by an increase in their numbers, without an equal increase of the fund for their subsistence, is an evil to be remedied [by poor law authorities] (Poor Law Commissioners, 1834, p. 220).

This is a nearly direct reflection of Malthus' assertion in the first essay that "[t]he poor laws of England tend . . . to increase population without increasing the food for its support" (Malthus, 1798/1926, p. 83). As Malthus argues elsewhere, it is precisely because poor law policy misleads poor people into believing that any material discomfort they experience should be ameliorated by public provision, that they engage in such counterproductive behavior in the first place. The Commissioners use an interesting technique to make their case regarding the impact of the poor laws on population. Frequently, this is done by using selected statements from their surveys of poor laws officials - their Queries, as they termed them - to make these points. From the Commissioners' viewpoint, this would allow them to contend that the assertions were based on empirical evidence, provided directly by those who administered the poor laws. They could also assert that they did not necessarily hold these views in advance, on the basis of Malthusian preconceptions; but, rather, came to this understanding on the basis of what their inquiry revealed. The Commissioners quote report after report, selected from their much larger body of data, that provides examples of relief purportedly leading to reproduction, whether people are actually receiving it or not. One poor law official reports that "poor people . . . marry early . . . they are induced to this, no doubt, from a reliance upon relief from the poor rate. Instances have been numerous in which this has been known to be the case, and in a majority of cases, relief is applied for on the birth of the *first* child" (Poor Law Commissioners, 1834, p. 25). Another indicates that "[t]he effect . . . is clearly to encourage early and improvident marriages, with all their consequent evils" - of which having children is clearly implied to be one of these "evils," as he goes on to observe that "where a married man is not certain of obtaining relief, even with five or six children, the laborers do not marry earlier" (Poor Law Commissioners, 1834, p. 30). Yet another report, quoted directly following, states that "[t]he practice of granting allowance for children is so general and confirmed, that the pauper is in the habit of giving formal notice to the overseer of the pregnancy of his wife" (Poor Law Commissioners, 1834, p. 30). In commenting on the effect of the poor laws, another official adds that "young men . . . marry early, because they can get no relief unless they have children" (Poor Law Commissioners, 1834, p. 69).

Drawing conclusions from this material on benefit differentials between single and married men, the Commissioners suggest that a clear incentive for procreation results from existing poor law policy:

As a single man, indeed, 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 principle paymaster; for, small as the usual allowance. . . may be, yet, when there are more than three children, it generally exceeds the average wages. . ." (Poor Law Commissioners, 1834, p. 57).

Thus, in those sections which discuss the impact of the current system of poor relief, the commissioners either through direct statement, implication, or presentation of data, are in accord with the views of Townsend and Malthus that the giving of aid leads to increased reproduction. Frequently, in the report, this is evidenced by the Malthusian assumption that the giving of aid leads to early marriages, implying subsequent reproduction, which then qualifies poor people for increased benefits.

Ideas on Relief and Out-of-Wedlock Births

A later section of the report is devoted exclusively to discussing out-of wedlock birth, or what the Commissioners term bastardy. In reviewing the evidence collected, they are clear in asserting that the poor laws offer a particular incentive to encourage this type of reproduction:

In most cases the sum [of relief benefits] is as great, in many it is greater, . . . than that which would be allowed by the parish if it were legitimate and its father dead. To the woman, therefore, a *single illegitimate child is seldom any expense, and two or three are a source of positive profit* [emphasis added] (Poor Law Commissioners, 1834, p. 168).

They go on to indicate that they "will support these statements and inference by the following passages from the evidence" which will show "the pecuniary benefit offered to the woman for her incontinency." One respondent indicates that

[t]he certainty of women of obtaining care and provision for themselves during pregnancy and birth of children born in bastardy, as well as parish allowance for the maintenance of their children so born, tends to remove those checks to irregular intercourse which might otherwise operate (Poor Law Commissioners, 1834, p. 168).

A second suggests that "continued illicit intercourse" occurs because women "resort to it as a source of support" and that "a deliberate repetition of the offense" allows them to receive larger benefits (Poor Law Commissioners, 1834, p. 169). Another respondent contends that such benefits may allow them to live extravagantly, arguing that "[i]f a young woman has two or three bastard children. . . it is a little fortune to them" (Poor Law Commissioners, 1834, p. 172). The assistant poor law commissioner who collected this evidence reports on an interview with a "[w]itness who mentioned a case. . . of a young women, with four bastard children. . . [who] told him herself that *if she had one more, she would be very comfortable* [emphasis in original] (Poor Law Commissioners, 1834, p. 172). In a telling foreshadowing of later portrayals of poor people, the investigator observes that the "[w]itness added, 'They don't in reality keep the children; they *let them run wild, and enjoy themselves with the money*' [emphasis added] (Poor Law Commissioners, 1834, p. 172).

The Commissioners go on to suggest that poor law policy concerning out of wedlock births provides an incentive to early marriage, by encouraging fathers to marry the mothers of their non-marital children - which then leads, in their view, to yet even more undesirable reproduction. They present selections from the Queries that suggest, according to one respondent, that "if a woman has two or more bastard children, she is considered a good marriage prospect on account of these weekly payments; and thus marriages are contracted that are in the end productive of misery. . . by becoming a source of a disorderly and profligate population" (Poor Law Commissioners, 1834, p. 173). Malthus' makes a similar suggestion regarding the outcome of marriages promoted by poor law authorities, arguing that they should be "reprobated" for "the effect. . . will generally be, the having of three or four children to provide for, instead of one" (Malthus, 1817/1996, vol. 3, p. 184-185).

The Report concludes its discussion of the impact of poor relief on out-of-wedlock reproduction by noting "the tendency to vice which the hope of these allowances creates, and the number of illegitimate births, and the still greater number of legitimate births, which are the consequence," in the Commissioners' view, of these policies (Poor Law Commissioners, 1834, p. 178). This is the final significant comment on the impact of the existing relief system on reproduction found in this document. It should be noted, however, that subsequent research has cast serious doubt on the veracity of the Commissioners contentions, and the Malthusian assumptions upon which they were based.

One important study was emphatic in arguing that "the contention of Malthus and the nineteenth-century government commissioners that the Poor Laws, and in particular the allowance system . . . were a primary cause of population increase, is fundamentally erroneous." (Huzel, 1969).

Remedial Measures Proposed by the Commission: Parallels with Malthusian Ideas

The reforms proposed by the Commissioners followed from their analysis of the problem, although they did not adopt the chief of those advocated by Malthus in the Second and subsequent editions of the *Essay* - complete, although gradual, abolition of the poor laws (Malthus, 1817/1996, vol. 3, 176-190). They did, however, follow at least one of his initial suggestions found in the first - the widespread introduction of indoor relief, aid provided in institutions such as poorhouses or workhouses (Malthus, 1798/1926, pp. 97-98). By making public aid as miserable as possible, by granting it only on the condition that the supplicant enter an institution, this, at least theoretically, can create the incentives towards the virtuous behavior that Malthus wanted to encourage. Conversely, it also provides disincentives to the behaviors that Malthus wished most strongly to discourage on the part of the poor - early marriage and profligate reproduction.

While the reforms proposed by the Poor Law Inquiry Commission, then, perhaps did not reflect the exact nature of Malthus's proposals for the abolition of the poor laws - they did endeavor to achieve the same goals of eliminating perverse incentives that Malthus wished to achieve through abolition. And Malthusian thought seems to grant at least grudging acceptance of institutional relief, providing that it is administered in such a way as to act as a deterrent to perverse behavior on the part of poor people. The presumed tendency of the poor laws - particularly allowances to families on account of children - to promote reproduction, and increase population was chief among these perverse effects that concerned Malthus; and, the evidence appears to indicate, the Commissioners.

Poor Law Amendment Act: the Policy Manifestation of these Ideas

The recommendations found in the 1834 Poor Law Report were translated into legislation, commonly referred to as the Poor Law Amendment Act of 1834 or "New Poor Law." This detailed act contained a variety of specific provisions that implemented the reforms advanced in the Commission's report, most importantly the policy of deterrence through the use of harsh institutional relief. Its provisions were designed for the express purpose of making public aid less desirable than working poverty - the so-called principle of less eligibility - so as to eliminate the incentives to the counterproductive behaviors thought to result from the poor law system. This is consistent with the views of Townsend and Malthus, and the views expressed in the Poor Law Inquiry Report.

Therefore, it is reasonable to conclude that the ideas of these leading thinkers of the period had enormous influence on the assessment of the problem, and the policies found in the 1834 Poor Law Inquiry Report and the Amendment Act. It is also reasonable to conclude that at least one of the justifications for these reforms arose from a belief that the giving of aid lead to undesirable reproduction. The Report is replete with discussions of the impact of the existing poor law system on population generally, and reproduction specifically. From their own statements, and from their selection of evidence from the Queries, it can be seen that the Commissioners clearly believed that the giving of aid caused, or at least provided a significant incentive for, poor people to reproduce. These ideas were then translated into policy through the Poor Law Amendment Act. That the policies reflected - at least in part - Malthusian thinking about public aid and population growth is indisputable.

Implications for Current Policy Debates

While explicit reference is not made to Townsend or Malthus by modern policymakers in the United States, it is clear in examining the debates over the enactment of so-called welfare reform policies that similar logic underlay the initiation of policies such as the family cap. Proponents of these policies were clear in asserting their *belief* that the giving of additional benefits under a public welfare system induces reproduction, particularly reproduction out of wedlock, even though available evidence cast serious doubt on the validity of this belief (Acs, 1996; Fairlie and London, 1997; Kearney, 2004). As social scientist Charles Murray put it, "[t]he main reason for scrapping welfare is to reduce the number of babies born to single women" (Murray, 1994, p. 29). One of the primary proponents of family cap policies specifically indicated that the policy's primary purpose was to "punish welfare mothers [for having] baby after baby" (Wayne Bryant, quoted in Thomas, 1998).

This emphasis on the reproductive behaviors of poor people continued to influence the debates over federal welfare reform in the mid-1990s, and family cap policies continue to be in force in about half of the states (Romero & Fuentes, 2010).

This is so despite evidence that questions the effectiveness of family cap policies and the supposed connection between aid receipt and reproduction underlying them (Camaso & Jagannathan, 2009; Smith, 2006), as well as evidence from cross-national comparison which cast doubt on the validity of the Malthusian hypothesis. Data collected over the last 15 years by the United Nations, Department of Economic and Social Affairs (2015) show that countries with more generous social welfare systems such as Sweden, Denmark and Norway have lower birth rates than the United States. Despite this, however, policies premised on the notion that the relatively limited aid provided in the United States lead to increased reproduction persist, as indicated above. And the ideas justifying them haven't changed much from the earlier Malthusian arguments. In the 1996 debates over federal welfare reform, for example, multiple legislators compared welfare recipients to animals, while a former cabinet official suggested that "[w]elfare is illegitimacy's economic life-support system" (Tomczak, 2008). Thus there is justification not only for asserting the influence of the beliefs contained in the Malthusian thesis over policy in early 19th century England, but in more recent times. The process of assessing the degree of influence of ideas over policy is necessarily a speculative or interpretive endeavor that does not readily lend itself to quantification or empirical analysis. But even given the limitations of determining the exact influence of ideas on policy at particular points in time, through the analysis presented above, we can make some generalizations about trends in the impact of these ideas.

First, it cannot be emphasized enough what Somers and Block have pointed out - *ideas matter*. Even an era such as our own, where sophisticated social scientific techniques are available to carefully estimate the impact of aid giving on reproduction, and demonstrate with reasonable conclusiveness that it has little or none - beliefs that such a relationship existed were able to trump such empirical evidence and render it largely irrelevant in the determination of policy.

The careful work of social scientists showing that public assistance benefits do not lead to increased reproduction was passed over in favor of arguments asserting that wanton reproduction was occurring as a direct result of such aid. Reality didn't matter - ideas created their own reality. This demonstrates the influence and importance of what Somers and Block have termed "theoretical realism," which they identify was one of three elements of the "epistemological infrastructure" of the perversity thesis (Somers & Block, 2005). This is an extreme "anti-positivist theory of causality for which unobservable or 'theoretical entities' . . . are the real (hidden) causal forces behind the appearances of experience" (Somers & Block, 2005). Thus what appears to be real can, in essence, be deceiving, and therefore empirical evidence which purports to contradict the theory advanced can be disregarded - because it, in effect, constitutes sort of a superficial fiction which distracts from the hidden causes. This one of the central elements that has given the Malthusian theory such strength over time as an explanation for the reproductive behavior of the poor, and helped account for its ability to impact policy even in eras where its premises were under challenge.

So too is its concordance with the dominant narratives and beliefs of U.S. society in particular, but Anglo-American Protestant culture generally. The emphases on individualism and people's "personal responsibility" for the situations in which they find themselves - which are so much a part particularly of the Calvinist/Puritanical culture which so greatly informed the founding of the United States - gives a natural advantage, it seems, to ideas such as Malthusianism or social Darwinism, which so obviously are in sync with its basic premises. That a central motivation for enacting the family cap derived from Malthusian-like assumptions about connections between the giving of public relief and reproduction seems unarguable. Thus, the study of historical ideas concerning the relationship between public aid and reproduction is important to understanding current policy. History shows us that the obsession in the modern era with the reproductive behavior of poor people - and particularly recipients of public aid - is nothing new.

References

- Acs, G. (1996). The impact of welfare on young mother's subsequent childbearing decisions. *Journal of Human Resources*, 31(4), 898-915.
- Block, F. & Somers, M. (2003). In the shadow of Speenhamland: social policy and the old poor law. *Politics and Society*,

31 (2), 283-323.

- Boyer, G. R. (1990). *An economic history of the English poor law, 1750-1850*. Cambridge University Press.
- Camaso, M. J. & Jagannathan, R. (2009). How family caps work: Evidence from a national study. *Social Service Review*, 83(3), 389-428.
- Cowherd, R. G. (1977) *Political economists and the poor law: A historical study of the influence of classical economists on the formation of social welfare policy*. Athens, OH: Ohio University Press.
- de Schweinitz, K.(1943/1961). *England's road to social security: From the Statute of laborers in 1349 to the Beveridge report of 1942*. New York: A. S. Barnes.
- Eden, F. M. (1797/1967). *State of the poor*, 3 vols. London: Frank Cass & Co., Ltd.
- Fairlie, R. W. and London, R. A. (1997). The Effect of Incremental Benefit Levels on Births to AFDC Recipients. *Journal of Policy Analysis and Management*, 16 (4), 575-597.
- Furniss, E. (1957). *The position of the laborer in a system of nationalism*, New York: Kelly & Millman, Inc.
- Hammond, J. L. & B. (1936). *The village labourer, 1760-1820: A study in the government of England before the reform bill*. London: Longmans, Green & Co., Ltd.
- Hirschman, A. O. (1991). *The rhetoric of reaction: Perversity, futility, jeopardy*. Cambridge, MA: Harvard University Press.
- House of Commons. (1817). *Report of the select committee on the poor laws; with minutes of evidence taken before the committee*. London: C. Clement.
- Huzel, J. P. (1969). Malthus, the Poor Law and Population in Early Nineteenth Century England. *Economic History Review*, new series, 22 (3), 430-452.
- Kearney, M.S. (2004). Is There an Effect of Incremental Welfare Benefits on Fertility Behavior? *Journal of Human Resources* 39(2), 295-325.
- Malthus, T. R. (1798/1926). *Essay on the principle of population*. London: Macmillan & Co, Ltd.
- Malthus, T. R. (1817/1996). *Essay on the principle of population*. (5th Ed., Vols. 1-3). London: Routledge/Thoemmes Press.
- MacKay, T. (1900/1967). *A history of the English poor law, volume 3: From 1834 to the present time*. New York, NY: Augustus M. Kelly.
- Mencher, S. (1967). *Poor Law to Poverty Program: Economic Security Policy in Britain and the United States*. Pittsburgh: University of Pittsburgh Press.
- Murray, C.(1994). What to do about welfare," *Commentary*, 98 (6), 26-34.
- Nicholls, G. (1898). *History of the Poor Law* (Vol. 2). New York, NY: G. P. Putnam's Sons.
- Poor Law Commissioners. (1834). *Report of his majesty's commissioners for inquiring into the administration and practical operation of the poor laws*. London: B. Fellowes.
- Poynter, J. R. (1969) *Society and pauperism: English ideas on poor relief, 1795-1834*. London: Routledge & Kegan Paul.
- Reese, E. (2005). *Backlash against welfare mothers: Past and present*. Berkeley, CA: University of California Press.
- Romero, D. & Fuentes, L. (2010). The welfare family cap policy: fertility restriction as poverty prevention. *Differentials*, 66, 1-4.
- Smith, R. J. (2006) Family Caps in Welfare Reform: Their Corrosive Effects and Damaging Consequences, *Harvard Journal of Law & Justice*, 29, 151-193.
- Somers, M. R. & Block, F. (2005). From poverty to perversity: Ideational embeddedness and market liberalism over two centuries of welfare debate. *American Sociological Review*, 70 (2), 260-287.
- Townsend, J. (1786/1971). *A dissertation on the poor laws, from a well-wisher to mankind*. Berkeley, CA: University of California Press.
- Thomas, S. L. (1998). Race, gender, and welfare reform: The antinatalist response. *Journal of Black Studies*. 28 (4), 419-446.
- Tomczak, S. M. (2008). *An examination of the influence of ideas concerning the relationship of public aid and reproduction on policy development*. (Unpublished doctoral dissertation). Brandeis University, Waltham, MA.
- United Nations, Department of Economic and Social Affairs. (2015). *Population and Vital Statistics Report*. retrieved from <http://unstats.un.org/unsd/demographic/sconcerns/natality/nat2.htm#PVSR>
- Webb, S. & B. P. (1927). *English poor law history, part 1: The old poor law*. London: Longmans, Green & Co., Ltd.
- Webb, S. & B. P. (1929). *English poor law history, part 2: The last hundred years*. (Vol. 1). London, Longmans, Green & Co, Ltd.