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Contents

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Poor Relief and Social Discipline
in Sixteenth-Century Europe

1. Poor Relief and Discipline

Poverty and its concomitant vagrancy were a perennial problem throughout the sixteenth century.[1] The increase in the scale of poverty and vagabondage was a result of economic difficulties, for instance in agriculture,[2] and an enormous population growth, which started in the middle of the fifteenth century. The demographic expansion was aggravated by a higher rate of internal migration, either 'betterment migration' or 'subsistence migration',[3] resulting in a move from the land to the towns.[4] Thus, poverty became in the first place an urban phenomenon, a problem of the overcrowded cities in early modern Europe. In every major town or city a substantial part of the inhabitants belonged to the destitute class. In Spain, for example, the proportion of the poor in the population of Toledo in 1561 has been estimated at 20 per cent. The figure for Segovia in the same year was 15 per cent.[5]

Contemporaries were conscious of the mass of poor people in the streets. The first quantitative estimates of their numbers were made by clergymen and laymen who showed an interest in the origins of mass poverty and devoted long tracts and extensive sermons to the solution of the problem. An outstanding example for methodical approach to poor relief was Juan Luis Vives' book *De subventione pauperum* (1526). Other important studies were also written by Spaniards: *Deliberacion en la causa de los pobres* (1545), by Fray Domingo de Soto, *De la orden que en algunos pueblos de Espana se ha puesto en la limosna* (1545), by Juan de Medina, and *De*

oeconomia sacra circa pauperum curam a christo instituta (1564), by Lorenzo de Villavicentio.

The bulk of historiographical work on poor relief in the nineteenth and twentieth centuries deals with the variances in attitude towards the poor taken by Protestant and Catholic States in the Age of Reformation — with major differences stemming from the Protestant belief that alms-giving as a part of doing 'good works' did not mean salvation of the giver's soul.[6] Further, laicization and rationalization were regarded as an outcome of the Reformation. Recent studies on poor relief[7] emphasize that the actual welfare policy of European cities cut across religious boundaries and followed a pattern which was adjusted to local circumstances. That a poor relief scheme had to be flexible was acknowledged, for example, by a contemporary, Juan de Medina:

> Las pobreza de los hombres son de diuersas maneras: y no se puede señalar vna determinanda manera de proueer las: por que las mudanças de los tiempos/y de las costumbres requieren diuersas maneras de prouision: assi en esto como en todas las otras cosas de gouuernacion.[8]

The principles on which the administrative measures of civic governments were based were very much alike in Catholic and Protestant towns. The 'ubiquity of disease, crime, and crisis', to use the words of Professor Brian Pullan, caused magistrates to respond in a similar way. The purpose of this study is to reveal the disciplinarian element that was a common feature of legislation for the poor in early modern Europe.

Speaking of the sixteenth and seventeenth centuries, Christopher Hill[9] argues that poor relief must be seen in connection with the implementation of discipline in the form of houses of correction and apprenticeship schemes for pauper children. This association of poor relief with discipline continued until the twentieth century.[10] A systematic approach to this particular aspect of poor relief, which also analyses the phenomenon of discipline in a wider context, is still lacking.

The imposition of discipline was first introduced in the towns.[11] Social responsibility and the concern for law and order in the city caused the municipality to take the initial steps — which were in the first place disciplinary — in dealing with urban pauperism. By the 1520s several German cities had established a scheme of provision for the poor involving means of control and coercion. Augsburg and Nürnberg (1522) were the first;[12] Straßburg, Leipzig, and other German cities followed shortly afterwards. But it was the poor relief scheme of Ypres in Flanders[13] which found adherents as well as critics all over Europe.

In the eyes of Domingo de Soto, a prominent theologian and father confessor of Charles V, Ypres and certain German cities could not set an example for the poor relief of Spanish towns:

> . . . ni los de Hipre/ni ningunos alemanes pueden ser bastante exemplo para nosotros. Por que allende que como tenemos dicho son gente mas politica: tienen grandes rentas publicas/de donde apartan gran parte para los pobres/como paresce en las mismas constituciones de Colonia/y de Hipre.[14]

The various measures adopted by municipal governments in the beginning of the sixteenth century — prohibition of begging, hospitalization, compulsory poor rate, etc. — prepared the way for the administrative measures of territorial rulers later on. Reinhold A. Dorwart, for instance, stresses the important role played by the cities in this particular field of social legislation. He regards the cities of early modern Europe as the 'microcosm'[15] of the future territorial welfare state.

The ruler's concern for the welfare of his subjects results from his patrimonial obligation of *Schutz und Schirm, Rat und Hilfe*, as it was called in German contemporary sources. As is indicated in the German phrase, this obligation is mutual in that it binds both ruler and subjects. In fact, the feudal system in Europe since the Middle Ages was based on this assumption. The public responsibility, claimed by many political writers of the sixteenth and seventeenth centuries, was derived from the feudal duty which marked the relationship between feudal lord and vassal. Government, in their opinion, meant taking care of 'commodum, securitas, salus subditorum'.[16] The *bonum commune*, according to sixteenth century political theory, had to be well to the fore in all actions undertaken by the government. In Spain Juan de Medina justified the king's concern for the poor with 'las leyes del derecho comun' and 'algunas causas y razones concernientes al bien de todo Reyno'.[17]

All the prince and the magistrates needed was *prudentia civilis* (the advice for the proper political conduct), with its theoretical implications of obedience and discipline as a priori conditions for order in the State.[18] The contemporaries generally described this task as establishing *gute Ordnung und Policey*. What this term

meant is explained by Thomas Starkey in his *Dialogue*, where Cardinal Pole demands:

> gud ordur and pollycy by gud lawys stablyschyd and set, and by hedys and rularys put in effect; by wyche the hole body, as by reson, ys gouernyd and rulyd to the intent that thys multytude of pepul and hole commynalty, so helthy and so welthy, hauyng conuenyent abundance of al thyngys necessary for the maytenance therof . . . [19]

The paternalistic state of the sixteenth century gradually began to regulate all aspects of private and public life in order to serve the public interest, a process for which G. Oestreich coined the word 'Fundamentaldisziplinierung'.[20]

The motive underlying the disciplinarian attitude is revealed in the words of John Vowell, a magistrate of Exeter: 'Not by nature: but good discipline doo men prooue and become good and honest.'[21] Discipline took hold of every aspect of life — in government, economy, society, and church. Nobody was exempt: 'To discipline must all the estates within this realm be subject, as well rulers as they that are ruled; yea, and the preachers themselves as the poorest within the Kirk.'[22] Discipline was not something abstract. It became rather concrete, for instance, in the poor relief schemes in the sixteenth century. Even if it was intended to inculcate discipline in the minds of people from all walks of life (e.g. sumptuary laws),[23] there was one social class which felt the force of discipline more severely than other groups of the society — the poor. This was mainly due to the fact that the poor in general and vagabonds in particular were considered to be a menace to both law and order and Christian virtues. That town magistrates were well aware of this threat can be seen in the case of Ypres, where the Senate justified its harsh measures with the intention 'quam pauperum gregaria multitudo hactenus absque disciplina, ex lex, vaga, incustodita ac morum insolens quae clamoribus & pravis moribus civitatem turbant, ad meliorem vitae frugem redigeretur.'[24]

The class of the dispossessed people was looked upon as the source of social discontent and moral and civil disorder. They were 'masterless men' and therefore not within the bounds of the hierarchic order of the society,[25] as William Perkins, 'the first systematic Calvinist theologian in England' (Christopher Hill),[26] explained when he came to write his *Treatise of Callings*[27] at the very end of the sixteenth century:

> It is a foule disorder in any Commonwealth, that there should be suffered rogues, beggars, vagabonds; for such kinde of persons commonly are of no ciuill societie or corporation, nor of any particular church: and are as rotten legges and armes that drop from the body. Againe, to wander up and downe from yeare to yeare to this end, to seeke and procure bodily maintenance, is no calling, but the life of a beast: and consequently a condition or state of life flat against the rule; that every one must have a particular calling.

Poverty and its concomitant, vagrancy, were problems not only for the secular authorities, but also for the authorities of the Church.[28] The beggar, living in misery and in immediate danger of harming his body and soul, could not be integrated into the parish community and was therefore lacking special supervision and instruction in Christian virtues. Wandering from one place to another, he did not attend the service on Sundays, did not confess and did not go to the Holy Communion.[29] In the eyes of the Church such an anti-Christian way of life became a matter of ecclesiastical discipline.

Church discipline before the Reformation took the form of measures attempting to safeguard the purity of the Christian doctrine by the punishment of the offenders.[30] The Reformers, above all the Calvinists, extended ecclesiastical discipline to all aspects of human life.[31] As John Knox, the Scottish Reformer explained:

> As no Citie, Towne, howse, or familie, can mayteine their estate and prospere without policie and governaunce so the Churche of God, which requireth more purely to be governed then any citie or familie, can not without spirituall Policie and ecclesiasticall Discipline continewe, encrease, and florishe.[32]

The Church's aim was to censor the citizen's private conduct in order to preserve Christian virtues. But the state, with a strong executive body which it alone could provide, had to lend the Church its secular arm for enforcing discipline. Both took advantage of this close co-operation. Charles-Louis Frossard wrote: 'Parquoi la discipline Ecclésiastique ne diminue aucunement l'authorité du Magistrat, mais au contraire est ministre d'icelle, en disposant les coeurs et volontez des hommes pour s'y rendre mieux obéissans.'[33]

The Protestant rulers of the sixteenth century eagerly adopted this theory. The Church thereby became, in the words of R. H. Tawney, 'the ecclesiastical department of the State, and religion was used to lend a moral sanction to secular policy'.[34] Church discipline and social discipline overlapped. The final stage was reached when Milton, writing in the middle of the seventeenth cen-

tury, expressed succinctly the Puritan conception of an ubiquitous discipline:

> There is not that thing in the world of more grave and urgent importance throughout the whole life of man than is discipline. The flourishing and decaying of all civil societies, all the movements and turnings of human occasions are moved to and fro upon the axle of discipline . . . . Nor is there any sociable perfection in this life, civil or sacred, that can be above discipline; but she is that which with her musical cords preserves and holds all the parts thereof together . . . . Discipline is not only the removal of disorder, but if any visible shape can be given to divine things, the very visible shape and image of virtue.[35]

The issue of discipline was taken up after the paternalistic state had at least partly achieved the externalization of discipline as far as the army and the poor were concerned. The appearance of the term *discipline* in the philosophical discussion at the end of the six-teenth century comes into line with the revival of ideas first con-ceived in ancient philosophy. This is particularly true in the political thought of that century. In many cases ideas seem to have become philosophical stereotypes. But in adjusting them to the special needs of that century, they took on a slight difference in meaning.[36] The reason that sixteenth century authors of political literature often referred to Roman or Greek writers or the Fathers is partly due to their wish to support their own political thoughts by quoting ancient authorities.[37] In many cases the evocation of an-cient works happened because there was a contemporary need and a possibility for immediate application of theories developed in the ancient world.[38]

The most comprehensive revival of Roman thought was an achievement of Neo-Stoicism, which proclaimed the virtue of the restriction of man's freedom of will and freedom of action. Besides *auctoritas*, *temperantia*, and *constantia*, the Roman idea of *disciplina* was compatible with the system of moral principles and rules of conduct laid down in the political literature of the sixteenth century.[39] Gradually, *disciplina* began to include all aspects of life. It became an essential part of a new pattern of society, a pattern which did not call into question the traditional hierarchical struc-ture of society, but attempted to preserve the old structure by new means. Thus, discipline became, as G. Oestreich wrote, 'ein Grund-pfeiler der Entwicklung, die die neue Ordnung in Form des ab-solutistischen Staates gewährleistete'.[40] In theory, this implied *disciplina* necessarily had to clash with *libertas* and *licentia*. There

can be no doubt that for most of the sixteenth- and seventeenth-century writers of political literature *disciplina* took precedence over liberty and permissiveness.[41] Tracing the idea of discipline in sixteenth-century political thought is legitimate not so much because this idea influenced society by playing an important role in the internalization of disciplinarian regulations, but because it reveals the social background which gave rise to such an idea. For the origins of a disciplinarian attitude towards the poor we have to go back to, basically, two areas of social theory. One has to do with the aspects of the theory of labour. The other area concerns idleness.

2. Aspects of Social Discipline: Labour and Idleness

> Idlenes, therfore,
>   maye ryghte well be named
> The gate of all mischiefe
>   that euer was framed.
>   . . . . .
> And woulde God the maiestrates
>   woulde se men set a-worke,
> And that within thys realme
>   none were suffered to lurke.
> This realme hath thre commoditie
>   woule, tynne, and leade
> Which being wrought within the realme,
>   eche man might get his bread.[42]
>
>   *Robert Crowley, 'Of Idle Persons'*

In the sixteenth century begging was looked upon as an outcome of idleness. 'No pouerty, but rather much idulnes and yl pollycy' were, in the words of Thomas Starkey's character, *Lupset*,[43] responsible for the increasing number of beggars in England. The magistrates of London who had to deal with the intensification of poverty in their city came in the year 1552 to nearly the same con-clusion:

> . . . after due examination had, we evidently perceived that the cause of all this misery and beggary was idleness: and the mean and remedy to cure the same must be by its contrary, which is labour.[44]

Labour became the new medicine for poverty in many cities of ear-ly modern Europe.

In ancient Rome labour was considered to be an instrument to master nature. Virgil's famous phrase of 'labor omnia vincit' was popular right through the Middle Ages.[45] The Christian interpretation of labour was fundamentally based on two biblical passages, one from the Old Testament and one from the New. In Genesis 3:17-19, after the description of Adam's sin, God says to Adam:

> [C]ursed is the ground because of you;
>   in toil you shall eat of it all the
>   days of your life;
> thorns and thistles it shall bring forth
>   to you;
>   and you shall eat the plants of the
>   field.
> In the sweat of your face
>   you shall eat bread . . .[46]

Even more important for the Christian attitude towards labour became St Paul's command in the New Testament (2 Thessalonians: 10-12):

> If any one will not work, let him not eat. For we hear that some of you are living in idleness, mere busybodies, not doing any work. Now such persons we command and exhort in the Lord Jesus Christ to do their work in quietness and to earn their own living.

In scholastic philosophy the function of labour was threefold. According to Thomas Aquinas: 'Primo ad otium tollendum . . . . Secundo ad corpus domandum . . . . Tertio . . . ad quaerendum victum . . . '.[47] Juan de Medina, writing in the sixteenth century, was very much in this tradition when he wrote that men have to labour in order to gain their livelihood, to exterminate idleness, and to train their bodies.[48]

In the eyes of the Fathers, labour was man's duty, but only for those who were forced to work by need. Labour discipline could not be applied in general. Some people were exempt: 'Praeceptum de laborare manum non obligat aliquem singulariter',[49] claimed Thomas Aquinas. Clergymen and men of noble ranks were not obliged to work. At the same time monastical orders like the Benedictines propagated *laborare ex oratione* and thus contributed to a Christian conception of labour which included *all* ranks of society.

The Reformation effected a new appraisal of labour. This was not a mere coincidence. Along with the growing awareness of the

economic importance of labour went a new and even stronger emphasis on the duty of every man to work.[50] Tracts and pamphlets of the Reformation period dealing with contemporary social problems were preoccupied with the idea of compulsory labour. The official view of the Church in Elizabethan England, for instance, was that

> it is necessarye to be declared vnto you, that by the ordinaunce of GOD, whyche he hath sette in the nature of man euerye one ought in hys lawefull vocation and callyng, to geue himself to labour.[51]

Man's duty to labour was not only prescribed by divine law. Ancient authorities were also called in evidence:

> [H]e [man] ys borne to labur and trauayle, after the opynyon of the wyse and auncyent antyquyte, non other wyse then a byrd to fle, and not to lye (as Homer sayth some dow) as an vnprofytabul weyght and burden of the erth.[52]

The anonymous tract, *An Ease for Overseers*,[53] lists all the arguments which could be brought up in a discussion in favour of compulsory labour, namely from the divine and human law, and the law of nature. Those who did not follow God's command had to be subjected to ecclesiastical discipline. As Martin Bucer explained: 'For those that may gette their lyuinge by their labour and trauayl, and wil not, ought to be put out of the Churche.'[54]

Use of the term *labour* by sixteenth-century writers did not always imply bodily labour. Those who by their vocation were brain-workers were also regarded as profitable members of the society.[55] The important thing was that every man must have a calling. Accordingly, the mendicant orders were not exempt from this rule. In contrast to Luther, who criticized the mendicant friars and their practice,[56] the Spanish theologian Domingo de Soto justified the existence of mendicant orders with their profitable function, for they

> trabajan enel culto diuino/y en la predicacion del euangelio a biuir de los fructos temporales: por razon del spiritual fructo que ellos hazen al pueblo.[57]

With this exception, begging gradually also became despised among Catholic writers. Juan de Medina,[58] for example, thought that no theologian could be convinced that begging was a proper means to overcome destitution.

Begging was considered to be on a par with idleness; the latter was commonly regarded as a threat to one's salvation and equally

noxious for society as a whole.[59] Firstly, because the idle person lives at the expense of other men's labour like 'a drowne be doth in a hyue, suckyth vp the hunny',[60] a metaphor which was used by Thomas Starkey in his *Dialogue*. Secondly, because the idler was a menace to social order, or in the words of Jeremias Drexel, a Bavarian Jesuit, 'Ad otium spectant cognata duo vitia: Intemperans somnus, & neglectus ordo.'[61] The authorities therefore were admonished to extirpate idleness wherever they could find it. Juan Luis Vives, in his famous book on poor relief, demanded:

> Quocirca non patiendum est quem quam in ciuitati ociosum viuere, in qua tanquam in domo bene instituta vnumquemque decet esse in officio prisca sententia est. homines nihil agenda discunt male agere.[62]

The remedy recommended by contemporaries was labour.[63]

Labour in terms of poor relief meant punishment as well as training and education. Robert Hitchcock, for instance, suggested that

> the lustie Vacabounds and Idell persones (the rootes, buddes, and seedes of idelnesse) shall at all handes and in al places be set on worke, and labour willyngly, and thereby proue good subiectes, and profitable members of this Commonweale.[64]

Nobody was really unable to work. Bodily infirmity, in the eyes of sixteenth-century poor relief reformers, was only an excuse. Juan Luis Vives showed that even the blind were able to gain their livelihood by playing music, spinning, making baskets, etc. Workhouses like Bridewell in London show a variety of different forms of production: making of caps, feather-bed ticks, wool cards; drawing of wire; spinning, cording, knitting, and winding silk (by those who were lame or lacking hands); making of nails and other ironwork (by those who were regarded as lazy and stubborn).[65]

Labour was only one facet of social discipline in the sixteenth century. If we wish to shed light on other forms of discipline in sixteenth-century poor relief schemes, we must also examine its following aspects: supervision; control; examination; education; and punishment.

3. Supervision

The bulk of contemporary literature on poor relief consists of pamphlets, tracts, and sermons, which are

saturated with doctrines drawn from the sphere of ethics and religion, and economic phenomena are expressed in terms of personal conduct, as naturally and inevitably as the nineteenth century expressed them in terms of mechanisms.[66]

In this respect there are only slight differences between lay thought and clerical thought. The point on which, for example, English writers, such as John Vowell, George Whetstone et al., differ from the writings of clergymen, is their more pragmatic disposition towards ameliorating poverty. But both groups of writers deal with the public administration of poor relief and the necessary intervention of the state. W. K. Jordan, for instance, discerns a 'substantial difference'[67] in thought between laymen on one side and clergymen on the other. Many Protestant writers of the sixteenth century, such as Andreas Hyperius who was a theologian at Marburg University,[68] believed that it was at least partly the duty of the state to cope with the problem of poverty:

> That it be belongeth iontly bothe to the Ecclesiasticall, and Politike gouernour, to take care for the reliefe of the poore.[69]

In Catholic countries like Spain this role of the state was controversial, and the Spanish theologians Soto and Medina, who were otherwise of different opinion about poor relief, agreed that care of the poor best remained in the hands of the Church.[70] State or Church, the important question was how supervision of the destitute class was actually intensified.

Juan Luis Vives, who had a decisive influence on the poor relief schemes in several European countries, gives, in his famous book *De subventione pauperum*, an explanation of why it was necessary to watch and direct the poor:

> in a State the poorer members cannot be neglected without danger to the powerful ones. For the former, driven by their need, in some cases turn thieves.[71]

Supervision became a reality in the sixteenth century in such areas where one sought to find out, for example, how large the group of poor people was, how they lived, whether there were beggars and vagrants among them, what means existed for the poor to provide for themselves, and whether charity was distributed in a proper way or not. John Vowell, a magistrate in Exeter concerned with the administration of poor relief, gives us considerable insight into contemporary ideas regarding supervision:

& so ought the magistrate vvho beeing the generall Tutor is the eye of the vvhole
Citie; and therfore must beholde and see euery particular mans cause, he is the
eare and mouth of the vvhole body, and therefore is to hear all and to speake for
all, he is the head of the vvhole common vvelth: and therefore must vnderstand
and direct euery man in his estate and calling.[72]

In terms of poor relief, the practical application of these
generalities resulted in the appointment of special supervisors for
the poor. This happened in Spain,[73] in Venice,[74] and in several other
European states. In England, where the initiative had been on the
side of the towns, the supervisors were called 'overseers'. In 1571
Norwich, for example, appointed commissioners 'for the viewe of
the State of the poore throughowte the whole citie'.[75]

To put supervision into practice the state had to rely on the
parish organization. In the poor law Act of 1563, the Tudor
government decreed that in each parish collectors of alms should be
appointed.[76] The Act of 1572 included the provision that the
Justices of the Peace should appoint overseers of the poor yearly at
Easter.[77] The Act of 1597-8 provided that four householders should
be appointed overseers.[78] In the Act of 1601 the number of
overseers varied according to the size of the parish.[79] By 1597-8
nearly the whole responsibility for poor relief rested on the
overseers, despite the provision that they should 'take Order from
tyme to tyme by and with the Consent of two or more such Justices
of Peace'.[80] An anonymous writer of the period made quite clear
the important role played by the overseers: 'The Ouerseer is an eie
to the Magistrate in these actions, and therefore it were not amisse
to take his information: for in that he makes collection of the
money, he is best acquainted with the inclination of the men, and if
they be credible, charitable, and conscionable, it will appeare (as
the bell by the found) by their willing speeches and
paiments . . . '.[81] The West-Riding Session Rolls in Yorkshire, for
example, prove just how effective this kind of supervision of the
poor had become in England at the end of the sixteenth century.[82]

4. Control

    An Ouerseer, *Controwler* to bee calde,
    to see vnoccupied none to remayne:
    vnles they bee withe sicknessies appalde,
    or by debilitie of Age ouerlayne.
    If case theare bee too punysche them by payne

    of Stockes or scowringes whiche suche maye compell
    to earne their fooade els to haue no morsell.[83]

William Forrest, 'Princelie Practise' (1548)

Supervision and control are complementary to one another. If we
wish to see how social discipline was enforced under sixteenth-
century government,[84] we have to analyse the system of control
established by the overseers. By control we do not mean the
methods used to preserve order, but the theoretical power or
authority which was given to the overseers to direct, order, and
restrain the poor.

By 1526 Juan Luis Vives had already suggested that two ap-
pointed censors should have the power to 'investigate the life and
the conduct of the poor, whether of children, youths, or old men'.[85]
According to Andreas Hyperius, overseers could hereby rely on the
assistance of state and Church, if they

> redily by their publique authoritye doe charge, prohibite, constitute, and
> publishe to the whole multitude, what soeuer are thoughte necessarye and pro-
> fitable to the setting foorthe of the liberalitie towardes the poore.[86]

Whether or not these ideas influenced later legislation, is almost
impossible to prove. However, it is likely that they at least had in-
direct influence. In England the magistrate of Norwich decreed in
1571 that commissioners should have

> aucthorite from master Maior . . . to alowe and disalowe, comaunde, correcte,
> refourme, place and displace, or do anie thinge or thinges, which they do in
> master Maiors name . . . [87]

An anonymous writer in 1601, referring to the poor law of
1597-8 in England, described an overseer as a man who 'hath the
charge of employing by worke, releeving by money, and ordering
by discretion, the defects of the poore'.[88] Levying the poor rate and
distributing the money among those who were in need, the
overseers reached a degree of control which required a considerable
amount of *temperantia*. The overseers therefore had to be ad-
monished to

> tender the poore but doe not tyranize ouer them: for it is no more glorie to
> triumph ouer the poore, then to tread of a worme, it is better to deserue com-
> mendation by discrete gouernment, then exclamation by rigorous dealing.[89]

For the government to have confidence that their overseers would have self-control is one thing, to actually exercise control over them another. Thus, the overseers had to subject themselves to governmental control. Those who refused to give a close account of their activity were threatened with imprisonment.[90]

From what we have examined hitherto, there can be no question regarding the substantial power given to the overseers to interfere in the affairs of other people. What remains to be discussed are the methods by which they exercised their power. A concise answer can be found in the aforementioned tract, *An Ease for Overseers*: 'To inquire after poore is the next way to procure poore.'[91]

5. Examination

Poor relief in the sixteenth century differed from previous attempts to sustain the poor in so far as indiscriminate alms-giving was diminishing, and help was only given to those who were in desperate need.[92] Subsequently, private charity was canalized by the state. One way of doing this was to enact laws which encouraged the foundations of workhouses and hospitals.[93] Faced also with a decline in private charity (taking into account the rate of inflation),[94] the state was forced to introduce a compulsory contribution to public welfare — the poor rate.[95] A fair distribution of the money raised by these means implied a careful and thorough inquiry into the needs of the poor.

In England the towns were the first to recognize that without examination the number of the poor would reach such a height that it would be impossible to sustain all of them.[96] On the continent, Ypres had already attempted in 1525 to solve this problem by appointing 'subprefetes' whose task was

> to visyte the poore houses shoppes and cotages of the poore and nedyous and to marke surely where what and howe moche helpe euery one neded. Yea and ouer this by certayne tokens and coniectures to get the knowledge of their condicyon their helth their homly and secrete grefes their maners and (as nere as can be) theire merytes and to write these in a boke or tables ordeined for the same purpose.[97]

All of these suggestions show that little respect was paid to individual freedom at that time. The primary task of the state was to guarantee the minimum subsistence level in times of distress. Hyperius and other contemporary writers therefore believed that investigation was justified:

> Neither is that searche fault worthy, which is made to helpe the poore, not to hurte any man, and which is ordeined to procure the common safetie of all, aswel suche as to be poore in deede, as suche as are not so.[98]

Most Protestant writers shared the view that the amelioration of poverty required studying the social conditions of the poor.[99] In the words of Andreas Hyperius, examination therefore meant 'to understande the causes and quarels of the poore'.[100]

In England these ideas were put into practice in 1572. The *Acte For the Punishment Of Vacabondes, And For Releif Of The Poore And Impotent* provided that the Justices of the Peace 'make diligent Searche and Enquierye of all aged and ympotent and decayed persons'.[101] Furthermore, register books, containing the names of the poor, were to be kept.[102] Thus, the first step was made by the state to cope with the growing number of the poor. For those who were concerned with the inspection of the poor the problem was precisely how to make distinctions between those who were in need and those who were not.[103] William Perkins, for example, distinguished three degrees of need:

> The first is *extreme* necessity, when a man is utterly destitute of the meanes of preservation of life. The second is *great* need, when a man hath very little to maintaine himselfe and his. The third is *common* necessity, when he hath something but yet not sufficient or competent. Now those that are in the first and second degree of need, they are the persons that must be succoured and releeved.[104]

Another contemporary writer made distinctions between 'willing, wilfull, negligent and fraudulent' poor.[105] In general the poor were divided into two groups: the incapacitated and the able-bodied poor.[106] Most of the sixteenth-century poor laws adopted this pattern. The result of this classification was, roughly speaking, the development of two types of public welfare policy: education and punishment.[107] Both were complementary aspects in the enforcement of social discipline. In Tudor England, for instance, the vagrancy acts were the complements to the poor laws.[108]

6. Education

W. K. Jordan has shown in his book on English philanthropy that in the sixteenth century a considerable amount of private charity went into social rehabilitation schemes, viz. relief of prisoners, loan funds, workhouses and stocks of raw material for the poor, apprenticeship schemes, hospitals, and marriage subsidies.[109] The key phrase used to describe these actions of the state was, in the words of Christopher Hill, 're-educating the paupers themselves'.[110] No contemporary put it more plainly than Robert Hitchcock, who suggested that the

> poorerer sorte of people, maie bee sette to some good Artes, Science, Occupacions, Craftes and Labours, by whiche meanes they might be able to relieve them selues of their greate nede and want. And beying brought to suche vocation of life, hauyng some good trade to liue uppon, there is no doubt, but they will proue good and profitable subiects, and be careful to see this commonwealth florishe, and will spende their liues and bloud to defende the same, and their little wealth, their liberties, their wifes and children.[111]

Like Hitchcock, most of the sixteenth-century writers thought that poverty could and must be removed.[112] Their remedy also was labour discipline; for idleness was in their opinion the only reason for poverty. Subsequently, poor relief took the form of employment.[113] The Elizabethan poor law, for instance, made provisions 'for settinge to worke . . . all such persons maryed or unmaryed as havinge no means to mayntayne them, use no ordinary dayly Trade of life to gett there lyvinge by'.[114] Earlier, similar actions had been taken by the magistrates of London,[115] Norwich,[116] and other English cities.

Special attention was paid to the education of poor children. Hyperius, for example, recommended that 'those men children . . . shall in their youth be sent to schole to learne good literature, and become ciuill thereby'.[117] The advocates of education for poor children had in their minds not only to cut the number of poor in the future, but also to inculcate social discipline at an age when one was pedagogically malleable.[118] Consequently, it was 'the cheefest parte of a good gouernour and a prudent Magistrate', wrote John Vowell alias Hooker, 'to prouide that Children and yung men be by their meanes instructed and brought vp in honest artes, knovvledge & discipline'.[119] In England Tudor government put this idea into practice by providing apprenticeship and employment in workhouses.

In the recent discussion of the Elizabethan poor laws the point of controversy is whether the measures had been mainly repressive (A. L. Beier) or preventive (John Pound).[120] One cannot distinguish, I think, between education and punishment. The poor laws of 1597-8 in England were, in comparison with previous legislation, both disciplinary *and* ameliorative.

7. Punishment

Sixteenth-century authorities distinguished between poor who could be punished as vagrants, and those against whom other coercive measures had to be invoked. As in many other European states, in England social policy had begun with the punishment of vagrants. In the eyes of authoritarian governments, the vagrant was a threat to public order. The duty for the paternal ruler was therefore to suppress vagrancy and its concomitant — begging. Tudor kings and queens were not, however, the first in taking cruel measures such as imprisonment, the stocks, whipping, branding, ear-boring, deportation, forced labour in the galleys, slavery, and hanging.[121] Spain[122] and Venice[123] had also attempted, more or less successfully, to suppress vagrancy in similar ways.

Many of these punishments, like branding for example, involved public disgrace. Thus, the vagrant was characterized as an idle member of society, and idleness, in the judgment of sixteenth-century writers, was 'a form of disobedience, rebellion and sin to be punished'.[124] The offender had to show repentance, otherwise he was not to escape punishment:

> But especially those valiaunt beggers, which we discried to be contaminate with euery kinde of wickednesse, shal be brought in order, and beeing gently admonished, shall renounce their ungraciousnesse, and returne into the righte way, or beeing constrayned by sharper correction . . .[125]

Actions taken by authorities in the second half of the sixteenth century were no longer restricted to corporal punishment, but proceeded to take the form of a softer type of punishment, already supplied in the rehabilitation scheme for the poor in general. As it is explained by Thomas Lever in one of his sermons:

And he that is in nede, hauing no trust to get any thyng by idlenesse, craft or flat-
tery, shalbe compelled to vse that labour and honest exercise, whiche shall relieue
his nede sufficiently. Yea, by this mean no man shall spende his tyme in
idlenesse, nor vse no any labour or diligence without due recompence.[126]

While the state had the prerogative of inflicting punishment and compelling the poor and idle to work,[127] it remained for the Church to inculcate the new mentality in every parishoner's mind.

The place for punishment of the new type was the workhouse or — more significant — the house of correction.[128] Workhouses like Bridewell in London became numerous in many English towns in the second half of the sixteenth century. In Norwich, for example, the rules of the municipal workhouse stipulated that those in-habitants who refused to work were 'to be ponissed by the whipp at the discrecion of the wardens'.[129] On a national scale, similar measures were embodied by Tudor government in the Act of 1576, providing that the able-bodied poor (including vagrants) 'shallbee receyved into suche Howse of Correction, there to be straighlye kepte, as well in Diet as in Worke, and also punisshed from tyme to tyme . . . '.[130] In the legislation of 1597-8 the relief of the poor and the suppression of vagrancy were treated as separate problems. The *Acte for Punyshment of Rogues, Vagabondes and Sturdy Beggars* made provisions for the whipping and expulsion of vagrants from the parish where they had been seized, and for their setting to work in a house of correction of the parish where they were born or where they had last dwelt.[131] The *Acte for the Reliefe of the Poore* decreed that all able-bodied poor should be set to labour under the threat of penalty for refusal.[132]

Thus, the paternal state of the sixteenth and seventeenth century attempted to combine social discipline with economic gains; and consequently the workhouse became the distinctive feature of European poor relief right to the nineteenth century. But not all those disciplinarian measures were successful, since new regula-tions had to be put into force time and time again. The reason was, as Miguel de Cervantes put it, 'It is one thing to praise discipline, and another to submit to it.'

Notes

This study was undertaken at the suggestion of the late Professor G. Oestreich (2 May 1910 — 5 February 1978) of the University of Marburg, and is dedicated to his memory. It was prepared under the guidance of Professor H. G. Koenigsberger (King's College, London), to whom the author is indebted for valuable criticism. I also benefited from a discussion with Professor Brian Pullan (University of Man-chester).

1. See Henry Kamen, *The Iron Century: Social Change in Europe, 1560-1660* (revised edition, London 1976), 427-56. For the European background, see also Jean-Pierre Gutton, *La société et les pauvres en Europe, XVIe-XVIIIe siècles* (Paris 1974); Rudolf Endres, 'Das Armenproblem im Zeitalter des Absolutismus', *Aufklärung, Absolutismus und Bürgertum in Deutschland*, ed. Franklin Kopitzsch (Munich 1976), 220-41.

2. Cf. Friedrich Lütge, 'Economic Change: Agriculture', *New Cambridge Modern History*, Vol. II, ed. G. R. Elton (Cambridge 1958), 23-50. A general in-troduction in the social and economic problems of the sixteenth century is given, by H. G. Koenigsberger and George L. Mosse, *Europe in the Sixteenth Century* (Lon-don 1968), especially chapter III.

3. Peter Clark, 'The Migrant in Kentish Towns, 1580-1640', *Crisis and Order in English Towns, 1500-1700*, ed. Peter Clark and Paul Slack (London 1972), 117-63, especially 145.

4. Brian Pullan, 'The Famine in Venice and the New Poor Law, 1527-1529', *Bolletino dell' Istituto di Storia della Società e dello Stato Veneziano*, 5/6 (1963-4), 141-202, sees the attraction of cities for the poor as a 'consequence of their habit of exporting their own dearth to the areas surrounding or subjected to them . . . ' (145). See also Natalie Z. Davis, 'Poor Relief, Humanism and Heresy: The Case of Lyon', *Studies in Medieval and Renaissance History*, 5 (1968), 217-75, especially 267.

5. Linda M. Martz, *Poverty and Welfare in Habsburg Spain: The Example of Toledo* (Ph.D. thesis University of London 1974), 153.

6. For references to this argument, see Franz Ehrle, *Beiträge zur Geschichte und Reform der Armenpflege* (Freiburg im Breisgau 1881); Albert Emminghaus, *Das Armenwesen und die Armengesetzgebung in Europäischen Staaten* (Berlin 1870); Georg Ratzinger, *Geschichte der kirchlichen Armenpflege* (Freiburg im Breisgau 1868); William James Ashley, *An Introduction to English Economic History and Theory*, Vol. I (Fourth edition London 1906), 317ff. For England in particular, see F. Hugh Barber, *The Influence of Reformed Doctrine on English Charity in the Six-teenth Century* (M.A. thesis Bristol 1964).

7. For example, Brian Pullan, *Rich and Poor in Renaissance Venice: The Social Institutions of a Catholic State to 1620* (Oxford 1971); and 'Catholics and the Poor in Early Modern Europe', *Transactions of the Royal Historical Society*, Fifth series, 26 (1976), 15-34, by the same author. Brian Tierney, *Medieval Poor Law* (Berkeley and Los Angeles 1959); Davis, op. cit.; William J. Wright, 'Reformation Contribu-tions to the Development of Public Welfare Policy in Hesse', *Journal of Modern History* (On-Demand Supplement, D1145-D1179; abstracts printed in Vol. 49, No. 2, June 1977).

8. I have extended abbreviations in quotations from manuscripts and printed sources, but I have retained the spelling of the original. Translation: 'The poverty of men is of many kinds, and we cannot indicate a certain way of provision for them, because the change in time and in customs require different kinds of provision: as it is the case in all other matters of government.' Juan de Medina, *De la orden que en algunos pueblos de Espana se ha puesto en la limosna: para remedio de los verdaderos pobres* (Salamanca 1545), 63; my pagination.

9. Christopher Hill, 'Puritans and the Poor', *Past & Present*, 2 (1952), 32-50, especially 37. See also the stimulating chapter 'Discipline: Monarchical, Aristocratical, and Democratical' in his book *Society and Puritanism in Pre-Revolutionary England* (London 1964), 219-258.

10. See John Riddoch Poynter, *Society and Pauperism: English Ideas on Poor Relief, 1795-1834* (London 1969), 2.

11. See Ethel Mary Leonard, *The Early History of English Poor Relief* (Cambridge 1900), 65. Cf. also Kamen, op. cit., 448.

12. See, for example, Otto Winckelmann, 'Die ältesten Armenordnungen der Reformationszeit (1522-25)', *Historische Vierteljahresschrift*, 17 (1914-15), 187-228, and 361-400.

13. The *Forma subventionis pauperum* of Ypres was translated into English by William Marshall in 1535. Reprinted in *Some Early Tracts on Poor Relief*, ed. Frank Reyner Salter (London 1926), 36-76.

14. Translation: 'Neither those regulations of Ypres, nor those of German cities can be an example for our cities, because, as we have said somewhere else, they are more *political* people, they have a larger public income of which a large part is put aside for the poor, as it is provided in the regulations of Cologne and Ypres.' Domingo de Soto, *Deliberacion en la causa de los pobres* (Salamanca 1545), 44v/45r.

15. Reinhold A. Dorwart, *The Prussian Welfare State before 1740* (Cambridge, Mass. 1971), 3. Cf. also Ethel Mary Hampson, *The Treatment of Poverty in Cambridgeshire 1597-1834* (Cambridge 1934), 10.

16. See Gerhard Oestreich, 'Politischer Neustoizismus und Niederländische Bewegung in Europa und besonders in Brandenburg-Preußen', *Geist und Gestalt des frühmodernen Staates* (Berlin 1969), 101-56, especially 114.

17. Medina, op. cit., 89/90. Miguel de Giginta, another Spanish author of this time, argues in a similar way, referring to Socrates and Plato who 'concuerda en que los principes son obligados a procurar quanto bien puedan a sus vassallos: y la razon declara que a los mas necessitados primero, por ser el reyno dominio paterno, y reparo de los pobres'; *Tractado de remedio de pobres* (Coimbra 1579), 85r.

18. See Gerhard Oestreich, 'Policey und Prudentia civilis in der barocken Gesellschaft von Stadt und Staat', *Stadt — Schule — Universität — Buchwesen und die deutsche Literatur im 17. Jahrhundert*, ed. Albrecht Schöne (Munich 1976), 10-21, especially 19.

19. Thomas Starkey, *A Dialogue between Cardinal Pole and Thomas Lupset*, ed. J. M. Cowper (Early English Text Society, Extra Series XXXII, London 1878), 51. The *Dialogue* was written in 1532-3, but remained a draft. For its influence on government circles, see G. R. Elton, 'Reform by Statute: Thomas Starkey's *Dialogue* and Thomas Cromwell's Policy', *Proceedings of the British Academy*, 54 (1968), 165-88, especially 180.

20. Gerhard Oestreich, 'Strukturprobleme des europäischen Absolutismus', *Vierteljahresschrift für Sozial- und Wirtschaftsgeschichte*, 55 (1968), 329-47, especially 345.

21. John Vowell alias Hooker, *Orders enacted for Orphans and for their portions within the Citie of Excester, with sundry other instructions incident to the same* (London 1575?), 7r. There is a striking parallel with a passage in Thomas Hobbes', *De Cive*, I, 1: 'ad societatem homo aptus non natura, sed disciplina factus est'.

22. *The First Book of Discipline*, quoted in Hill, *Society and Puritanism*, 224.

23. See, for example, Liselotte C. Eisenbart, *Kleiderordnungen der deutschen Städte zwischen 1350 und 1700: Ein Beitrag zur Kulturgeschichte des deutschen Bürgertums*, Göttinger Bausteine zur Geschichtswissenschaft, 32, (Göttingen 1962).

24. Translation: 'to lead back to the profit of a better life the vulgar multitude of the poor, those who so far have disregarded discipline, living as outlaws and vagabonds, escaping supervision and having no virtues and causing trouble in our city by spreading rumours and filthy habits.' Charles Duplessis d'Argentré, *Collectio iudicorum ne novis erroribus, qui ab initio duodecimi saeculi post incarnationem verbi, usque ad annum 1735 in Ecclesia postscripti sunt & notati*, 3 Vols. (Paris 1728-1736), II, 79 col. 2.

25. Contemporaries grudgingly admired this freedom, even if it was a kind of pseudo-liberty. As we can see, for example, in Desiderius Erasmus's *Colloquies* where one of the characters called *Irides*, a beggar, claimed: 'I don't doubt there are many kings who envy us. Whether there's war or peace, we're safe. We're not drafted for the army; we're not called to public offices; we're not taxed when the public is plundered by levies. No one investigates our lives.' 'Beggar Talk' (1524), in *Colloquies*, translated by Craig R. Thompson (Chicago and London 1965), 253. A study of such 'Archetypen der Freiheitssituation' (Ernst Bloch, *Das Prinzip Hoffnung* I) in sixteenth-century literature is still lacking.

26. Hill, 'Puritans and the Poor', 32.

27. William Perkins, 'A Treatise of Callings', *Works*, Vol. I (London 1635), 755. A similar attitude is revealed in John Dod and Robert Cleaver, *A plaine and familiar Exposition of the Ten Commaundements, with a methodicall short Catechisme, containing brieflie all the principall grounds of Christian Religion* (London 1603), VII; and *Leonard Worall's Project for employing the Poor and Vagrants, etc.*, 1607, British Library (henceforth cited as BL): Royal MS 17A XIII, fol. 48.

28. Cf. Pullan, *Rich and Poor*, 371.

29. This is a common grievance in many works on poor relief. Juan de Medina, for example, complained about beggars scattered in the provinces, 'sin tener cuyado de oyr missas domingo y fiestas/ni de confesarse/ni comulgar/quando la yglesia manda/y sin que puedan tener cuenta con ellos los perlados ni curas' (op. cit., 11). See also Christobal Perez de Herrera, *Discursos del amparo de los legitimos pobres, y reduccion de los fingidos: y de la fundacion y principio de los albergues desto reynos y amparo de la milicia dellos* (Madrid 1598), 4v.

30. See, for example, the article 'Discipline (Christian)', *Encyclopaedia of Religion and Ethics*, ed. James Hastings (Edinburgh 1911), IV, 715-720. Cf. also H. J. Schroeder, *Disciplinary Decrees of the General Councils* (London 1937), 1.

31. For discipline in the Reformed Church, see Hill, *Society and Puritanism*, 219ff.' and Patrick Collinson, *The Elizabethan Puritan Movement* (London 1967), 346ff.

32. John Knox, 'The Order of Ecclesiasticall Discipline', *Works*, ed. David Laing (Edinburgh 1855), IV, 203-6, especially 203.

33. Translation: 'Whereby ecclesiastical discipline does not diminish the authority of the Magistrate at all, but, on the contrary, is the Magistrate's organ in dispos-

ing man's heart and will with the aim to make him more obedient.' *Etude historique et bibliographique sur la discipline des églises réformées de France* (Paris 1887), 27.

34. R. H. Tawney, *Religion and the Rise of Capitalism*, first edition 1926 (Pelican Edition, Harmondsworth 1977), 169.

35. John Milton, 'The Reason of Church Government Urged against Prelaty' (1641), *Prose Works of John Milton* (Bohn Edition London 1848), II, 438-508, especially 441-2.

36. Justus Lipsius, a distinguished author of political books in the sixteenth and seventeenth century, illustrated this semantical problem by giving the example of the Latin word *fatum*: 'Haben die alten dieses wörtleins misbraucht? so wollen wirs recht gebrauchen/und wollens aus der *Stoicorum* Kercker herfür an ein besser liechte bringen', *Von der Bestendigkeit*, translated into German by Andreas Viritius (Second edition Leipzig 1601; reprint Stuttgart 1965), 56v. Lipsius's book was first translated into English by J. Stradling, *Two bookes of constancie* (London 1595). For Lipsius's contribution to the spreading of Neo-Stoicism in Europe see Oestreich, 'Politischer Neustoizismus', 101ff.

37. A typical example is George Whetstone, *A mirour for magestrates of cyties . . .* (London 1584), 3, quoting a speech by Emperor Alexander (222-35 AD) to the Senators in Rome which dealt with poor relief.

38. See Gerhard Oestreich, 'Die Antike Literatur als Vorbild der praktischen Wissenschaften im 16. und 17. Jahrhundert', *Classical Influences on European Culture A.D. 1500-1700*, ed. R. R. Bolgar (Cambridge 1976), 315-24. Most of the social ideas of the sixteenth century were therefore not new: nobody could dispense with ideas already conceived. As Juan de Medina, thinking of a new poor relief scheme, explained: ' . . . no es inuentor de nouedades: sino interprete de viejas verdades', op. cit., 64.

39. Cf. Oestreich, 'Strukturprobleme', 341.

40. Ibid.

41. George Whetstone, for instance, wrote in his pamphlet *A mirour for magestrates* that he wanted to show 'how mightie sinne will grow with a little lybertie and how soone, it is quailed with seuere Correction', op. cit., Preface, 4v.

42. Robert Crowley, *Select Works*, ed. J. M. Cowper, Early English Text Society, Extra Series 15, London 1872, 38.

43. Starkey, op. cit., 89-90.

44. *Extract from the Records and Court Books of Bridewell Hospital. Together with Other Historical Information Respecting the Objects of the Charter, Granted by Edward the Sixth to the Mayor, Commonalty, and Citizens of London and their Successors*, ed. Thomas Bowen (London 1798), 3. For a detailed account of London's poor relief in the middle of the sixteenth century, see *An order to be put in practise within the Cittie of London, for the relief of their poore*, BL: Lansdowne MS 155:68b.

45. For an excellent survey of the meaning of *labour* throughout history, see Werner Conze, 'Arbeit', *Geschichtliche Grundbegriffe: Historisches Lexikon zur politischsozialen Sprache in Deutschland*, ed. Otto Brunner, Reinhart Koselleck & Werner Conze (Stuttgart 1972), I, 154-215; Virgil's phrase is quoted in ibid., 157.

46. All Biblical quotations are from the *Revised Standard Version* (Collins: New York et al. 1973).

47. Thomas Aquinas, *Quaestiones quodlibetales* 7, art. 17, ed. R. P. Mandonnet (Paris 1926). Cf. Ignaz Seipel, *Die wirtschaftsethischen Lehren der Kirchenväter*,

Theologische Studien der Leo-Gesellschaft, 18 (Wien 1917), 126, who quotes a similar passage by Basilius.

48. Joannes de Medina, 'Codex de eleemosyna quid, et qvotvplex ea sit', *De poenitentia, restitutione, & contractibus* (Brixiae 1606), 363-95, especially 391.

49. Translation: 'To do bodily labour is not prescribed for everybody.' Thomas Aquinas, op. cit., 7, art. 17. Cf. Conze, op. cit., 162.

50. In this respect, poor relief was an important economic question. Employing the poor meant saving money for relief. As Sir Francis Godolphin explained in a letter to Robert Cecil: ' . . . daily labours might be drawn from more than 200,000 loiterers, to the gain of £1,000 a day', Historical Manuscript Commission, *Salisbury Mss*, VII, 160. For the economic background of the Spanish Poor Law of 1540, see J. H. Elliott, *Imperial Spain 1469-1716* (Pelican Edition, Harmondsworth 1970), 190. For details of the law, see 'Instruction de la orden que se ha de tener enel cumplimiento y execucion delas leyes que hablan sobre los pobres', *Quaderno de algunas leyes: que no esta enel libro delas prematicas* (Medina del Campo 1544).

51. 'An homelye agaynst Idlenes', *The seconde Tome of Homelyes of such matters as were promised and intituled in the former part of Homelyes, set out by the aucthoritie of the Quenes Maiestie: And to be read in euery paryshe Churche agreablye* (London 1563), fol. 266v. Similar passages are in William Forrest, 'Pleasaunt Poesye of Princelie Practise' (1548); *England in the Reign of King Henry the Eighth*, ed. Sidney J. Hertage (Early English Text Society, Extra Series 32, London 1878), line 231; and in Thomas Becon, *The Fortresse of the fayhtfull agaynst ye cruel assautes of pouertie and honger newlye made for the comforte of poore nedye Christians* (London 1550), 159; my pagination.

52. Starkey, op. cit., 78.

53. *An Ease for the Overseers of the poore: Abstracted from the statutes, allowed by practice and now reduced into Forme, as a necessarie Directorie for Imploying, Releeving and ordering of the poore* (Cambridge 1601), 36. See also John Bunyan, *A Discourse of the Building, Nature, Exellency and Government of the House of God with Counsels and Directions to the Inhabitants thereof* (London 1688), 45.

54. Martin Bucer, *A Treatise, How by the Worde of God, Christian mens Almose ought to be distributed* (no place, 1557?), 6.

55. See 'An homelye agaynst Idlenes', fol. 268r. Rich people were profitable members because of their 'gouernios y defensa de la Republica', according to Pérez de Herrera, op. cit., 88v.

56. See, for example, 'An den christlichen Adel deutscher Nation', *D. Martin Luthers Werke* (Weimer 1888), VI, 450-51. Cf. Conze, op. cit., 164.

57. Translation: 'work by the worship of God, and by preaching the Gospel they live by the temporal fruits thereof, at the rate of the spiritual fruits they bring to people' (op. cit., 6r). this is denied by Wenceslaus Linck, a contemporary of Luther, who wrote about *geistlich arbeyten*: 'Dieweyl gemeynigklich yr wesen nie von gote geboten/sondern von menschen erdichtet sey . . . ' *Von Arbeyt vnd Betteln wie man solle der faulheyt vorkommen/vnd yederman zu Arbeyt ziehen* (Zwickau 1523), sig. Eiiʳ.

58. Medina, *De la orden*, 92. An exception is Lorenzo de Villavicentio, *De oeconomia sacra circa pauperum a christo instituta, Apostolis tradita, & in vniuersa ecclesia inde nostra vsque tempora perpetua religione obseruata, cum quarundam propositionum, quae huic sacrae oeconomiae aduersantur confutatione: libri tres* (Antwerp 1564), 266f. For his biography, see Louis Prosper Gachard, *Correspon-*

dance de Philippe II sur les affaires de Pays-Bas, 2 Vols. (Brussels, Ghent, Leipzig 1851), II, XVI-XLIX. Villavicentio especially opposed the views of Juan Luis Vives and Aegidius Wijts, whom he considered to be heretics (op. cit., 139).

59. See, for example, Thomas Lupset, 'A Compendious and very Fruteful Treatyse, teachynge the waye of Dyenge well' (1534), *Life and Works of Thomas Lupset*, ed. John Archer Gee (New Haven 1928), 263-290, especially 289. The same opinion had already been advocated by medieval authors, as we can see in Chaucer's version of the 'Romaunt of the Rose': 'For he that wol gon ydilly/And useth it ay besily/To haunten other mennes table,/He is a trechour, ful of fable'; *The Complete Works of Geoffrey Chaucer*, ed. Walter W. Skeat (Oxford 1912), Fragment C, line 6599-6602.

60. Starkey, op. cit., 153.

61. Translation: 'As far as idleness is concerned, one has to distinguish two vices: an abundance of sleep and a negligence of order.' 'Rhetorica Caelestis' (Liber I, caput IV), *Opera Omnia* (Lugduni 1647), III, 74.

62. Translation: 'Therefore it is not allowed that anybody is living idle in the city, in which — as in a well-ordered house — everybody has his duty. There is a saying: Those who are doing nothing, are capable of doing evil.' *De subventione pauperum sive de humanis necessitatibus Libri II* (Brugis 1526), sig. Kiii^r.

63. According to John J. Clarke, the three principles of poor law legislation were relief, repression and remedy; cf. *Social Administration Including the Poor Laws* (London 1922), 29/30.

64. Robert Hitchcock, *A Pollitique Platt for the honour of the Prince, the great profite of the publique State, relief of the poore, preseruation of the riche, reformation of Roges and Idle persones, and the wealthe of thousandes that knowes not howe to liue* (London 1580), 9v. See also the *Forma subventionis pauperum* of Ypres, op. cit., 58.

65. See *Extract from the Records . . . of Bridewell*, op. cit., 4. In Spain, Perez de Herrera suggested a similar mode of employment for female vagabonds, op. cit., 67r.

66. Tawney, op. cit., 21. See also Christopher Morris, *Political Thought in England, Tyndale to Hooker* (London 1953), 2.

67. W. K. Jordan, *Philanthropy in England, 1480-1660* (London 1959), 172. But he also confirms that lay thought was 'on the whole more pragmatic, more concerned with social order and less dependent on scriptural authority', ibid.

68. For his biography, see Hannelore Jahr, 'Hyperius, Andreas', *Neue Deutsche Biographie*, Vol. 10 (Berlin 1974), 108-9. His book was translated into English because 'it may serue to direct the one in administring of the said act [1572], so wil it teache the other to think vvel of the procedings', Andreas Hyperius, *The Regiment of the Pouertie . . .* , transl. Henry Tripp (London 1572), sig. A IV^v.

69. Ibid., 1r. See also Henry Smith, *Sermons* (London 1593), 1165; and Bucer, op. cit., 15.

70. For an account of this controversy, see Martz, op. cit., 36. Also Gabrielis Vasquez, another Spanish theologian of the sixteenth century, thought that laymen had no right to investigate the condition of the poor ['De eleemosyna', *Opuscula Moralia* (Venice 1617), 19]. A similar view backed with examples from the history of the Church is held by Lorenzo de Villavicentio, op. cit. 189. Perez de Herrera, a layman, assigned this task to both, 'Iuezes Ecclesiasticos y seglares' (op. cit., 76v), while in the Spanish Netherlands Aegidius Wijts, a magistrate, in his tract *De con-*

tinendis et alendis domi pauperibus, et in ordinem redigendi validis mendicantibus (Antwerp 1562), 64r/64v regarded poor relief as the prerogative of the Senate.

71. Extracts in English translation in *Some Early Tracts on Poor Relief*, ed. F. R. Salter (London 1926), 6.

72. Vowell, op. cit., 11r.

73. Soto, op. cit., 4r. Cf. also Martz, op. cit., 40.

74. In Venice they were called *Magistrato alla Sanità*, see Pullan, *Rich and Poor*, 238.

75. 'The orders for the poor' (1571), *Tudor Economic Documents* (hereafter *Tud. Ec. Doc.*, ed. R. H. Tawney and E. E. Power, 3 Vols. (London, New York, Toronto 1924; reprint 1951), II, 316. For similar appointments in other English cities in the first half of the sixteenth century, see Leonard, op. cit., 25.

76. 5 Elizabeth, c. 3. For the substitution of civil for ecclesiastical authority in this field, see W. Cunningham, *The Growth of English Industry and Commerce in Modern Times: The Mercantile System* (Cambridge 1919), 46.

77. 14 Elizabeth, c. 5. This is contrary to R. H. Tawney's statement that down to 1597 collectors of alms were chosen by the churchwardens in conjunction with the parson, op. cit., 195. In 1573 Bishop Whitgift took issue with Cartwright, an Elizabethan Puritan, over whether the abolition of the office of the deacons was responsible for the growth of poverty; see John Strype, *Life and Acts of John Whitgift* (Oxford 1822), I, 132.

78. 39 Elizabeth, c. 3.

79. 43 Elizabeth, c. 2.

80. The Act of 1597/98 is printed in *Tud. Ec. Doc.*, II, 346-54; quotation ibid., 346.

81. *An Ease for Overseers*, op. cit., 12.

82. Extracts printed in *Tud. Ec. Doc.*, II, 365ff.

83. William Forrest, op. cit., lines 281-7.

84. An English example is provided by Paul A. Slack, *Poverty in Early Stuart Salisbury*, Wiltshire Record Society 31, (Devizes 1975), 185.

85. Vives, op. cit., 19. See also *Forma subventionis pauperum*, op. cit., 54; and *John Howes' MS (1582)*, ed. W. Lampriere (London 1904), 56-7.

86. Hyperius, op. cit., 27v.

87. 'Orders for the poor', op. cit., 321.

88. *An Ease for Overseers*, op. cit., p. 8.

89. Ibid., 28. Juan Luis Vives also demanded that 'necessitates pauperum humane atque affabiliter quaestores examinent' (op. cit., sig. Fii^v).

90. See, for example, 39 Elizabeth, c. 3 (*Tud. Ec. Doc.*, II, 348).

91. *An Ease for Overseers*, op. cit., 29.

92. See, for instance, Hill, 'Puritans and the Poor', 34.

93. For England, see 'An Acte for erecting of Hospitalls or abiding and working Howses for the Poore' (39 Elizabeth, c. 5).

94. The figures in W. K. Jordan's book *Philanthropy* are misleading because the inflation rate is not taken into account (op. cit., 67); cf. William J. Bittle and R. Todd Lane, 'Inflation and Philanthropy in England: A Re-Assessment of W. K. Jordan's Data', *Economic History Review*, second series 29 (1976), 203-210. The controversy continues; see J. F. Hadwin, 'Deflating Philanthropy', *Economic History Review*, 2nd series 31 (1978), 105-17.

95. In England the Act of 1563 provided for the first time for compulsory collections of funds. The Act of 1597/98 saw the institution of the poor rate.

96. See, for example, 'Orders for the poor', op. cit., 330. Cf. also *Howes's MS*, op. cit., 20.

97. *Forma subventionis pauperum*, op. cit., 56. In Spain Domingo de Soto (op. cit., 21r) was in favour of examination in order to distinguish between 'fingidos' and 'verdaderos pobres', while Juan de Medina (op. cit., 388) rejected any kind of examination. Lorenzo de Villavicentio agreed that 'pauperum inspectio' was necessary, but wished it to be in the hands of the bishops (op. cit., 169).

98. Hyperius, op. cit., 29r.

99. Cf., for instance, Shailer Mathews, 'The Protestant Churches and Charity', *Intelligent Philanthropy*, ed. Ellsworth Faris, Feris Laune and Arthur J. Todd (Chicago 1930), 112-32, especially 132.

100. Hyperius, op. cit., 59r.

101. 14 Elizabeth, c. 3, *Tud. Ec. Doc.*, II, 330.

102. For an example, see 'Accounts of the Churchwardens and Overseers of the Parish of Staplegrove, Co. Somerset, for the year 1599', printed in Leonard, op. cit., 327-30 (appendix). The keeping of register books with the names of the poor had already been suggested by Bucer, op. cit., 12. On the continent we find similar kinds of register books; see for example *Buch der verordneten Armen, denen an den wochentagen in der Pfarrkirche gesteuert wurde*, 1599 (Stadtarchiv Marburg, Abt. A, Bestand 330, II 195).

103. See, for example, Christian Cellarius, *Oratio pro pauperibus, ut eis liceat mendicare* (Antwerp 1530), 29; my pagination.

104. Perkins, op. cit.,

105. *An Ease for Overseers*, op. cit., 18.

106. See, for example, Henry Arthington, *Provision For the poore, now in penurie out of the store-hovse of Gods plentie* (London 1597), sig. Bii`.

107. In the preamble of the Norwich 'Orders for the poor' this double-track policy was formulated thus: 'to ponishe vagaboundes and disordered persons as also to make collecions to susteyne the indigente and needye' (*Tud. Ec. Doc.*, II, 318).

108. This is obvious in the Acts of 1597-8: 39 Elizabeth, c. 3 and 4.

109. Jordan, op. cit., 41ff.

110. Hill, 'Puritans and the Poor', 43. See also Robert H. Bremner, 'Modern Attitudes towards Charity and Relief', *Comparative Studies in Society and History*, 1 (1958-59), 377-82, especially 378.

111. Hitchcock, op. cit., 20v-21r.

112. Cf. e.g. Mathews, op. cit., 123.

113. See Hill, 'Puritans and the Poor', 43. In particular, this is true for the seventeenth century; cf. Donald C. Coleman, 'Labour in the English Economy of the Seventeenth Century' (1956), *Essays in Economic History*, ed. E. M. Carus-Wilson (London 1962), II, 291-308, especially 292. In France the famous poor relief reformer of the seventeenth century, Vincent de Paul, believed that the poor needed work as much as food; see Ella King Sanders, *Vincent de Paul, Priest and Philanthropist, 1576-1660* (London 1913), 70.

114. 39 Elizabeth, c. 3 (*Tud. Ec. Doc.*, II, 346-7). The Tudor government assumed in its Proclamations that there was sufficient work for all; see Rudolf W. Heinze, *The Proclamations of the Tudor Kings* (Cambridge 1976), 117.

115. See Leonard, op. cit., 29.

116. See 'Orders for the poor', op. cit., 316ff.

117. Hyperius, op. cit., 17v.

118. According to Ivy Pinchbeck and Margaret Hewitt, schools were regarded in the sixteenth and seventeenth centuries as 'an essential form of social control and an agency for social discipline amongst a social class conspicuously in need of both'; *Children in English Society I: From Tudor Times to the Eighteenth Century* (London and Toronto 1969), 288. Education of this kind had to start at a very early age to be successful: ' . . . for the most parte . . . the children of this Realme doo live in Idlenes vntill thei be XVI or XVII yeares of aige not onelye leasinge so much tyme, but by meanes thereof ydlenes ys so grassid in them that yt ys harde after ward to be plukid oute'; *Discourse howe the poor may be releived* (probably by Sir Thomas Smith, suscribed by John Easte), BL: Lansdowne MS 95:3.

119. Vowell, op. cit., 10v. See also *An Ease for Overseers*, op. cit., 27. Richard Morison, *A Remedy For Sedition, wherein are conteyned many thynges, concernyng the true and loyall obeysance, that commes owe vnto their prince and soueraygne lorde the Kynge* (London 1536), sig. Dii. 'A Supplication of the Poore Commons' (1546), *Four Supplications, 1529-1553*, ed. J. M. Cowper (Early English Text Society, Extra Series 13, London 1871), 79. Edward Cardwell, *Documentary Annals of the Reformed Church of England* (Oxford 1844), I, 9. London for example made provisions for apprenticeship schemes; see *A shew of matter conteyned in XIII^en Articles for the releife of the poore of the Cyttye of London*; 11 May 1593, BL: Lansdowne MS 74:27, art. 6-12.

120. A. L. Beier, 'Vagrants and the Social Order in Elizabethan England: A Rejoinder', *Past & Present*, 71 (1976), 130-34, versus John Pound, 'Vagrants and the Social Order in Elizabethan England', *Past & Present*, 71 (1976), 126-129.

121. See A. L. Beier, 'Vagrants and the Social Order in Elizabethan England', *Past & Present*, 64 (1974), 3-29, especially 15.

122. In Spain a special commissioner, the *alguacil de vagabundos*, was responsible for the prosecution. Pérez de Herrera reports an incident which happened in Ecija, where a 'mendigante fingido' was caught by the local *alguacil* and 'fue preso . . . , y contenado a azotes, y galeras' (imprisoned, condemned to be whipped, and sent to the galleys), op. cit., 11r.

123. In Venice vagrants were forced to serve on galleys, too; see Pullan, *Rich and Poor*, 145.

124. Beier, op. cit. (1974), 10.

125. Hyperius, op. cit., 17r. See also *An Ease for Overseers*, op. cit., 19; and Hitchcock, op. cit., 21v-22r.

126. Thomas Lever, 'Sermon before King Edward VI' (1550), *Sermons (1550)* ed. Edward Arber (London 1870), 87.

127. See, for example, Perkins, op. cit., 145.

128. For the question whether the workhouse was merely a penal institution or not, see Beatrice and Sidney Webb, *English Poor Law* (1927), with a new introduction by W. A. Robson (London 1963), 84. For the history of the workhouse in England in the sixteenth century, see Austin van der Slice, 'Elizabethan Houses of Correction, *Journal of the American Institute of Criminal Law and Criminology*, 27 (1936), 45-67. For the history of the *tuchthuisen* in the Netherlands, see Johan Thorsten Sellin, *Pioneering in Penology: The Amsterdam Houses of Correction in the 16th and 17th centuries* (Philadelphia 1944). A concise description of the *spin-huse* and the *rasp-huse* is John Bagley's *Account of the various Methods by w[hi]ch*

the Hollanders raise money for the sustinance of the Poore, as also how they distribute it, 4 April 1684, BL: Lansdowne MS 841:10, fol. 27v.

Workhouses were recommended by many contemporary writers on poor relief. An English example is Francis Bacon, 'Advice to the King touching Mr Sutton's Estate', *Works* (London 1837), I, 494-6, especially 495. In Spain Miguel de Giginta (op. cit., 6v) and Christobal Perez de Herrera (op. cit., 66v) suggested the establishment of 'casas del trabajo y labor' in which the poor could work. Domingo de Soto (op. cit., 41r) opposed the idea of an 'encerramiento de pobres'. Also Lorenzo de Villavicentio (op. cit., 270) believed that 'carceres non sunt facti in pauperes'.

129. 'Orders for the poor', op. cit., 320. For workhouses in Suffolk, see *Orders of the Justices of the Peace within the Countie of Suffolke made 22 April, ann. 31 Eliz. for the punishing & suppressing of Roags, Vacabonds, idle, loyteringe, & lewde persons . . .* , BL: Harleian MS 364:22, fol. 144r-152r. Such harsh measures were not always duly executed as provided in the statutes; see for example a report on disorders in London's Bridewell: *The most humble supplication of the L. Mayor Aldermen & Commons of the citie of London*, 11 June 1605, BL: Additional MS 12503, fol. 279r.

130. 18 Elizabeth, c. 3 (*Tud. Ec. Doc.*, II, 333).

131. 39 Elizabeth, c. 4., ibid.

132. 39 Elizabeth, c. 3, ibid. But contemporary writers soon became aware of the possible disadvantages of compulsory labour. More important than to discipline a vagrant by hard work was to teach him a trade which enabled him to gain his livelihood after his release from the workhouse; see, for instance, *Mr Williamson's opinion, touching some provisions for the poore, & the present multitude of rogues*, 26 August 1624, BL: Additional MS 12496, fol. 258r.

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