

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

ONALTINCI YÜZYILDA İNGİLTERE'DE YAŞANAN SOSYO-POLİTİK VE EKONOMİK DURUMUN BİR SONUCU OLARAK 1601 ELIZABETH YOKSUL YASASI

Kenan YERLİ¹

ABSTRACT

Miscellaneous economic, political, military and social events that took place in England during the sixteenth century caused poverty and hard times in England. The dissolution of the Catholic Church, the emergence of mercantilism as the early stage of capitalism, plague epidemics, ongoing wars and migration of Protestants from the continental Europe to England changed the structure of social life profoundly in the sixteenth century and caused poverty. As a result of this, the number of people who vagabond and beg across England grew. King Henry VIII, King Edward VI and Queen Elizabeth I promulgated various laws to alleviate poverty and to finalize begging across the country. 1601 Act for the Relief of the Poor was the final and revised version of a series of poor law legislated in the sixteenth century. This study aims at understanding the reasons and functions of the Old Poor Law of 1601 in the light of former acts and socio-political developments of the sixteenth century. Therefore, the focus of this study is on the Poor Law of 1601 and the socio-political and economic developments of the sixteenth century.

Keywords: Elizabethan Poor Law, Poor Law of 1601, Henry VIII, The 1601 Act for the Relief of the Poor

ÖZ

On altıncı yüzyıl boyunca İngiltere'de yaşanan çeşitli ekonomik, siyasi, askeri ve toplumsal olaylar halkın yoksullaşmasına ve zor günler geçirmesine neden olmuştur. Katolik Kilisesi'nin dağılması, kapitalizmin ilk aşaması olarak merkantilizmin ortaya çıkışı, veba salgınları, devam eden savaşlar ve kıta Avrupa'sından İngiltere'ye gerçekleşen Protestan göçü bu yüzyılda İngiltere'de sosyal yaşamın yapısının derinden değişmesine yol açan olayların en önemlileriydi. Özellikle, Kral VIII. Henry'nin Katolik Kilisesi ile ipleri koparması sonrasında yaşanan çözülme fakirlerin zaten zor olan yaşamını dahada zor bir hale getirmiştir. Çünkü o döneme kadar İngiltere'de hayırseverlik ve fakirlere yardım görevini ağırlıklı olarak Katolik Kilisesi yerine getirmekteydi. Anglikan Kilisesi'ni kuran VIII. Henry, büyük bir zenginliğe sahip olan bu manastırların malvarlığına da el koymuştu. Ortaya çıkan bu boşluk nedeniyle yoksullar zarar görmüştür. İşte bu nedenle, Kral VIII. Henry 1530, 1531 ve 1536 yıllarında çeşitli yasalar çıkararak yoksullukla mücadele etmeye çalışmış ve bir taraftan da 1601 Elizabeth Yoksul Yasası'nın temelini atmıştır. Artan yoksulluğa bağlı olarak sokaklarda dilenen insan sayısında yaşanan artış, on altıncı yüzyıl boyunca ülke genelinde dilenmeyi yasaklayan çeşitli yasaların çıkmasına neden olmuştur. Katolik Kilisesi'nin dağılmasından sonra oluşan bu yeni ortamda, Henry yoksullara yardım etme işinde kiliseleri etkin bir şekilde kullanmıştır. Parish adı verilen kiliseler en küçük idari birim olarak yapılandırılmış ve yoksullara yardım etme işlerindeki tüm organizasyonlar bu parish adı verilen kiliseler tarafından yürütülmüştür. Halkın yaşadığı yoksulluğu gidermek için sırasıyla Kral VIII. Henry, Kral VI. Edward ve Kraliçe I. Elizabeth tarafından çeşitli aralıklarla yoksulluk ve dilencilikle mücadele kanunları yürürlüğe sokuldu. Bunlardan bazıları

CORRESPONDENCE

¹ Dr. Sakarya University,
Department of Foreign
Languages,
e-mail: kenanyerli@gmail.com
ORCID ID: 0000-0001-6114-6167

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

dilencilikle ve başıboş gezmeye mücadele etmek adı altında vücudu kanlar içinde kalana kadar kırbaçlanma ve idam etmek gibi oldukça ağır cezalar da içeriyordu. Öyle ki, bazı yasalar çıraklık eğitimi almayı reddeden 14 – 18 yaş arasındaki çocukların bile kanlar içinde kalana kadar kırbaçlandırılarak cezalandırılmalarını emrediyordu. Şüphesiz, bu kanunlar içinde en acımasızı, belki de, VI. Edward'ın çıkarmış olduğu yasaydı. Çıkardığı 1552 tarihli yoksul yasasıyla İngiltere'de yoksulların kayıtlarının tutulmasını ilk defa sağlayan kişi Kral VI. Edward olmuştur. Ancak yine aynı kanunda başıboş gezen yoksulların köleleştirilebilmesine dair acımasız hükümler de yürürlüğe girmişti. Edward'ın getirdiği sert hükümleri kaldıran Elizabeth sırasıyla 1563, 1572, 1576, 1597, 1598 ve 1601 yıllarında değişik kanunları yürürlüğe koyarak, İngiltere'nin sosyal refah seviyesinin yükselmesine çok önemli katkı sağlamıştır. 1601 Tarihli Yoksullara Yardım Yasası, aslında, on altıncı yüzyılda yasalaşan bir dizi yasanın nihai ve gözden geçirilmiş en son versiyonuydu. Bu çalışmada bugün bile çok önemli olduğu kabul edilen 1601 Yoksul Yasası ve bu yasanın bir ihtiyaç olarak ortaya çıkmasına vesile olan sosyo-politik ve ekonomik olaylar ele alınmıştır.

Anahtar Kelimeler: I. Elizabeth, Yoksul Yasası, VIII. Henry

The Elizabethan Poor Law of 1601

as a Result of Socio-Political and Economic Conditions of the Sixteenth Century England

The 1601 Act for the Relief of the Poor, which came into force more than four centuries before our time, is considered an important cornerstone in the history of social policy and welfare in England. Today, many social workers regard 1601 Elizabethan Poor Law as the onset of the welfare state. The sixteenth century was a very difficult period for England as well as for all of Europe. Unlike the fifteenth century, which was economically abundant and rich, the sixteenth century was a century of poverty. There were a lot of poor people and most of the time “the English poor relied – when family support was lacking – on a shifting combination of philanthropy, municipal regulation, and the Church” (Kelly & Gráda, 2011, p. 343). For this reason, The Poor Law of 1601 was one of the greatest achievements of Elizabeth and it is still considered one of the most important laws in the history of social work. Beier (2004) argues that it was probably the first national poor-law system in Europe (p. 4). This fact makes this act unique and unprecedented. Nevertheless, some authors argue that one of the aims of this old poor law was to create a cheap labor force for competition in foreign trade. All things considered, it seems that understanding the quintessential of some social problems leading to social crisis and poverty in Early Modern England would be highly significant for appreciating the value of the old poor law and its contribution to modern social work.

So, what were the reasons for the poverty that prepared the conditions of the 1601 Poor Law? There were many reasons for this in the sixteenth century. The dissolution of the Catholic Church, epidemics of plague, wars and the emergence of mercantilism were among the most important ones.

Social, Political and Economic Reasons of Poverty in the Sixteenth Century

Almost all of Europe, including England, lost one-third to one-half of its population during the plague epidemic in 1347-1350 (Champion, Frassetto, & others, 2020). Bubonic plague struck England in 1348 for the first time, and until the famous Great Plague of 1665 it “struck roughly every 20-30 years, killing around 20% of London's population each time” (Museum of London, 2011). In addition to Black Death, ongoing wars, such as The Hundred Years' War and The Wars of the Roses, caused a dramatic decrease in the human population of England during the fourteenth and fifteenth centuries. Owing to this decrease in the English population, it can be said that the amount of food was relatively abundant and the prices were affordable in the fifteenth century. By contrast, the growing population in the sixteenth century had to tackle rising food prices. In his study, Harry A. Miskimin (1977) reported that the greatest price rise in the sixteenth century was in the agricultural sector. Prices of agricultural products increased fourfold in the early seventeenth century compared to the late fifteenth century. However, the price increase in manufactured goods was much lower in the same period (pp. 44,45).

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

Having a higher birth rate than the mortality rate and the emigration of Protestants, fleeing from France, Holland, and Belgium, were two major factors in the increase of the population in the sixteenth century. These emigrants contributed a lot to the English economy and trade in the upcoming years. When they arrived in the country for the first time, however, they were poor and in need of help. Under these circumstances, the total population of England and Wales increased from 2.500.000 in 1520 to 4.100.000 in 1600, and the rate of urban population increased from 6.2 % in 1520 to 8.4 % in 1600 (Grigg, 1980, p. 95). In those days agricultural production was not more profitable than trading. Between the years 1500-60, for example, any kind of money invested in agricultural products was bringing 1.50 -3.00 per cent per year (Blanchard, 2005, p. 115). Wool and different kinds of cloth trade were the most important items of British exports in the sixteenth century. For this reason, some feudal lords started to own a large number of sheep herds and commenced to shift their business interest from the agricultural sector to the wool and cloth trading. There was a negative correlation between the increase of population and the decrease in agricultural production. In all respects, working-class had to struggle with increasing population, high inflation, low wages and labor costs in Early Modern England.

Mercantilism and Sailing to the High Seas

As the early stage of capitalism, mercantilism was relentless to the poor. "In a context that considered population growth to be equal to wealth, society adopted two measures: on the one hand, to take the poor into care and, on the other, to use them as cheap labor" (Gómez Díaz, 2006, p. 706). Two sides of the coin had two different viewpoints. The ruling class was the adamant defender of mercantilism and low wage policy for the prosperity and development of England. They believed that low labor cost was extremely crucial for competing with rival countries in foreign trade. In this respect, Gregory (1921), Tawney (1922), Heckscher (1935) and Buck (1942) suggested that keeping wages low for the sake of economic growth and international competitiveness meant that mercantilism was a way of the brutal exploitation of the poor in English society (Qtd. in Orsi, 2013, p. 11). Therefore, while trying to understand the poor law, it is possible to draw a conclusion both about the relief and exploitation of the poor. It is a fact that mercantilism had a negative effect on the poor in the sixteenth and early seventeenth centuries.

Dissolution of the Catholic Church

It is a fact that after Henry VIII had established the Anglican Church in 1534, the Catholic Church, its Archbishops and their subordinates, who used to provide help with the poor, commenced losing their control over English society. When Elizabeth I ascended to the throne of England in 1558, she took over a country with a profound social, economic and political turbulence. During her reign, which lasted nearly half a century, she had to take some precautions to relieve the pains of the growing number of the poor. The dissolution of the Catholic Church, between 1536 and 1540 (The National Archives), caused an increase in the number of poor and beggars on the streets of England. Given that the Catholic Church was an important organization to alleviate poverty, it would not be wrong to claim that the dissolution of the monasteries influenced poor people negatively. The year 1534 in which Henry VIII announced the independence of the English Church was the beginning of the English Reformation movement. Since the Pope did not allow Henry VIII to divorce Catherine of Aragon, Henry VIII declared himself as the Head of the English Church. After this date, the Roman Catholic Church began to its disintegration. In those days, living conditions of the poor were hard and the Catholic Church had a crucial function for taking care of the poor. Briefly stated, the dissolution of the Catholic Church made the life of the poor people even more difficult. Another key fact to remember is that the year 1534 opened the doors of England to Protestantism. Since 1534 till the beginning of the Seventeenth Century England experienced a transition period of the Protestant Reformation. During this period, some monarchs were Catholic and some others were Protestant. Controversial issues between the Catholics and Protestants caused worsening of the welfare

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

system in the country which had so far gained power from the Catholic Church. The Catholic Church was providing relief services in England until then. Due to the dissolution of the Roman Catholic Church, there was a gap in the collection and distribution of charity and alms. Therefore, starting with Henry VIII, all governments attempted to administer and regulate the poor relief through a series of acts. In the wake of the enforcement of various poor laws in the sixteenth century, Elizabeth enacted her famous poor law of 1601, which stayed unaltered until the year 1834.

A Glimpse into the Legislative History of the Poor Law in the 16th Century

During her reign, Queen Elizabeth I pursued a peaceful policy and her country experienced a golden age. 1601 Poor Law was one of the most notable accomplishments of Elizabeth. She established a system for the relief of the poor and brought the responsibility to the society itself. 1601 Poor Law imposed strict sanctions on the poor who did not want to work even though they were healthy. People who were healthy but refused to work would go into the jail. In other words, contribution to the economy was mandatory and everyone healthy had to work. By this provision, begging was banned throughout the country. Elizabeth built a great number of almshouses. Parishes had to look after the poor people. Charlesworth (2010) claims that Elizabeth established "the oldest continuous surviving legal system of welfare relief in Europe; a 400-year-old common law (later public law) locally funded and administered system of relieving poverty" (p. 16). Indeed, Elizabeth was not the first ruler who banned begging in England. Her father Henry VIII enforced the vagabonds act in 1530 and banned vagabonding and begging in England. However, as Quigley (1998) put it, the Statutes of Labourers of 1349-1350 were probably the first of the poor laws and there were two reasons for its enforcement: "the large number of poor people [who emerged after the breaking down of feudalism and] who were roaming England begging" in search of a better paid work; "and the Black Plague and famine of 1348-1349." (p. 102). Chapter 1 of the 1349 Statute of Labourers orders: "Every person able in body under the age of sixty years, not having to live on, being required, shall be bound to serve him that doth require him, or else committed to the goal, until he find surety to serve" (qtd. in Quigley, 1998, p. 103). In this regard, it is important to review prior poor laws of the sixteenth century in England.

The Vagabonds Act of 1530

The full name of the 1530 act was *An Act Directing How Aged, Poor and Impotent Persons, Compelled to Live by Alms, Shall Be Ordered, and How Vagabonds and Beggars Shall Be Punished*. As Quigley (1998) put it, the vagabonds act of 1530 categorized the poor into two groups as "(1) the aged and the impotent poor who were worthy of help, and (2) the able-bodied poor, the vagabonds and beggars, who were unworthy of help and who were punished if they refused to work" (p. 102). It is clear that when able-bodied poor did not work, they were not welcomed in those days. Yet the living conditions were really hard and thousands of people were wandering from one town to the other with the hope of finding a better-paid job. There was a great number of able-bodied beggars whom Henry VIII considered a big problem for England. The vagabonds act of 1530 ensued as a result of such poverty. The able-bodied poor and the beggars had to work for a limited amount of money. The wage that they got was below the minimum living standards. The circumstances of the poor were getting even worse day by day. Thus, Henry VIII had to introduce two poor laws successively in 1531 and in 1536. According to Quigley (1996) these two laws of 1531 and 1536 "developed the first comprehensive system of poor relief" (p. 92).

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

The Act of 1531

On the grounds that the act of 1531 “made a distinction between the impotent poor who needed relief and the able-bodied poor who refused to seek work” (Kunze, 1971, p. 10) for the first time, it is possible to suggest that it had an important role in the formation of the 1601 Elizabethan Poor Law. The impotent poor had the right of getting a special license to be able to beg in permitted regions. It was the legalization of begging by law. Kunze (1971) argues that 1531 Act tried to “alleviate the giving of indiscriminate charity” and foresaw “the future role of the parish as the unit of local government responsible for levying rates and administering poor relief” (p. 11).

The Statute of 1536 (Henrician Poor Law)

The full name of the statute of 1536 was *An Act for the Punishment of Sturdy Vagaboundes and Beggars*. Because of the fact that Henry VIII established the Anglican Church and separated England from the Papal authority, it is possible to see the influence of this monastery reform in the act of 1536. “The selection of the Church parish as the unit of poor relief revealed the continued close relationship that existed between religion and charity. The statute ordered that the clergy during sermons, confessions, and last wills and testaments” (Kunze, 1971, p. 11). Similarly, Paul Slack (1995) advocates that recognition of the parishes as the smallest administrative units was a normal process, and he stresses a fact that 1536 act emphasized the establishment of the civil parish (p. 10).

In his noteworthy study, Kunze underlines the importance of the Henrician Poor Law of 1536 in terms of a provision as regards the paid public welfare workers. (1971, p. 12) He points to the revolutionary provision in section VIII, in the Henrician Poor Law of 1536. There was a section about the paid welfare workers. In section VIII, it says that welfare workers “shall have and take for his and their so doynge suche competente wages of the money of the said common colleccions as by the discrecions of the Maier Aldermen Goveмор Bailiffe or Justices of peace and others of the parisshes shalbe thought good and reasonable...” (The House of Commons of Great Britain, 1536). What makes this provision even more important is the fact that succeeding Elizabethan Laws abolished this tenet. “The framers of the 1536 statute also recognized the existence of financial inequities among the parishes. The act provided for the transfer of the “overplus” from wealthy parishes to poorer parishes for the maintenance of the poor” (Kunze, 1971, p. 12). Kunze (1971) advocates the statute of 1536 for five reasons. Firstly, it appointed the parish as the smallest administrative unit of poor law. Secondly, it tried to finish the unorganized haphazard distribution of charity. Thirdly, it set down alms picking procedure. Fourthly, it specified system of proper registration of relief funds. Finally, it foresaw the prospective “development of paid public welfare workers” (p. 13). However, the statute of 1536 was highly severe for the idle vagabonds. Section 24 in the statute of 1536 says: “to suffer peyne and execucion of dethe as a felon & as enmies of the Common Welthe, and to losse and forfeite all thir landes and goodes as felons do in all other causes within this Realme” (The House of Commons of Great Britain, 1536, p. 560). Although the number of vagabonds and thieves were hanged during the reign of Henry VIII is a controversial issue, some historians like Charles Knight suggested it as a loose estimate, “the generally accepted statement that during the reign of Henry VIII there were seventy-two thousand thieves and vagabonds hanged” (Knight, 1868, p. 471). Despite its severe clauses, Miles (1949) argues that “The Elizabethan Poor Law was based, in large part, upon the constructive measures of the Act of 1536” (p. 26).

The statute of 1536 specified the situation of vagrant children between the ages of five and fourteen. It ordered the begging or idle children between the aforesaid ages to be put to masters in husbandry, other crafts or labours: “under the age of xiiij yeres and above the age of fyve yeres in begging or idelnes, and to appoynte them to maisters of Husbandrie or other craftes or labours to be taughte, by the whiche they may gette their livinges when they shall come to age” and the children who rejected such service and who were over the twelve years old and under the age of sixteen would be whipped publicly:

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

...And if any above the age of twelve yeres and under the age of syxtene yeres refuse suche service or departe frome the same without cause resonable...that he or they have refused to serve or have departed frome thir service without cause resonable, he shall then in the parisshe where he was apprehended be openly whipped with roddes...(The House of Commons of Great Britain, 1536, p. 559).

The Poor Law of 1547 (Edwardian Poor Law)

Today it is thought that the Statute of 1536 was immensely severe. However, *The Statute of Legal Settlement Act* or the Poor Law of 1547 was more merciless as it brought slavery for the vagabond who rejected to work. Davies (1966) describes this law as: “the most savage act in the grim history of English vagrancy legislation, imposing slavery as a punishment for the refusal to work” (p. 533). Although the law had remained in force for two years before it was annulled immediately in the wake of the death of Edward VI, it is possible to consider this law as an inauspicious omen or mentality of the pro-slavery approach of England in her colonies. According to the law, the “vagabonds who were found without work were to be enslaved to a master for two years. If the vagabond attempted to escape, he became the master’s slave for life; a second attempt to escape resulted in his classification as a felon” (Kunze, 1971, p. 13). It is not hard to guess how hard the conditions of the enslaved vagabonds were. To be poor in England in the early sixteenth century was extremely hard, especially during the reign of Edward VI. Some authors argue that the Poor Law of 1547 was an indicator of the need for a cheap labourship: “The extraordinary provisions of the first statute of Edward VI., for making Slaves of unwilling labourers, offers a distinct proof that there was a demand for labour” (Knight, 1868, p. 470). However, it was doubtful that these peasants who had worked independently on agricultural lands for a long time would meet the labour force needs.

The Poor Law of 1552

The Poor Law of 1552 ordered the official records of the poor by parishes for the first time. Keeping the records of the poor was very important for systematic and evenly distribution of help. Due to the success of the task that they undertook, the parishes sustained their role in the poor law of 1601. Without the records of the poor, it would probably be difficult to control the poverty. Besides, 1552 poor law adopted the appointment of the collector of alms. This law ordered Collectors to “gather money from those who could afford to pay in order to assist people unable to work for their own support” (Mcintosh, 2014, p. 332). “Increasingly Collectors used much of the money they gained from rates to deliver regular payments to a selected subset of the poor, a practice that would become common in the seventeenth and eighteenth centuries” (Mcintosh, 2014, pp. 333,335). The Poor Law of 1552 ordered a regular payment for the poor for the first time.

The Statute of Artificers of 1563

An Act Containing Divers Orders for Artificers, Labourers, Servants of Husbandry and Apprentices is usually called The Statute of Artificers of 1563 or The Statute of Apprentices of 1563 and it was entirely different from the earlier poor enactments which had adopted brutal approaches including slavery towards the vagabond and the poor. With the enforcement of the Statute of Artificers of 1563, Elizabeth targeted to stop competition and organize life to reach a regular and stable society in which everyone could share by status (Encyclopædia Britannica, Inc., 2020). This act founded a system to fix local wages, to check the working conditions of the workers involving apprentices, and to take mobility of the workers under control (Woodward, 1980, p. 32). It remained valid until 1819 and simply categorized the poor into different groups for the first time: able-bodied deserving poor who would work but could not, idle poor who were healthy but did not prefer to work; and impotent poor who were unable to work owing to some health problems, being old, too young and disabled. “It assumed the moral obligation of all men to work, the existence of divinely ordered social distinctions, and the need for the state to define

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

and control all occupations in terms of their utility to society" (Encyclopædia Britannica, Inc., 2020). It ordered seven years of mandatory apprenticeship and confined the movement of the poor.

The Poor Law of 1572

On the grounds that the *Codifying Act of 1572* (14 Eliz., C. 5) ordered the statutory appointment of the overseers in lieu of the collectors in each parish for the first time, it is important to underline its significance (Emmison, 1931, p. 103). Besides the appointment of the overseers, the introduction of the taxation to fund the poor was the other important step of this legislation. It ordered a mandatory poor rate so as to help the impotent poor. In order to beg and wander freely, people had to own a license from A Justice of the Peace. Begging or wandering without that license was forbidden and resulted in severe punishments. Children who were under the age of 14 and soldiers on their way home were exempted from this prohibition. Penalty of wandering or begging for the second time was death as a felon. Although there were severe punishments, there were not enough solutions to tackle the vagabonding and begging. The Poor Law of 1572 paved the way to the Poor Law of 1601.

The Poor Law of 1576

An Act for Setting of the Poor on Work, and for the Avoiding of Idleness was an act ordering to set the poor on work and prohibiting vagabonding. The Poor Law of 1576 ordered to set the vagabonds and beggars on work. According to the order of this Act each parish would provide iron, wool or similar stocks for the sturdy vagabonds and beggars to work on. Secondly, the Poor Law of 1576 ordered the erection of the houses of correction in each county. According to Frank Aydelotte (1913) "The famous poor law of 1597 was nothing but a modification" (p. 63) of the Poor Law of 1576.

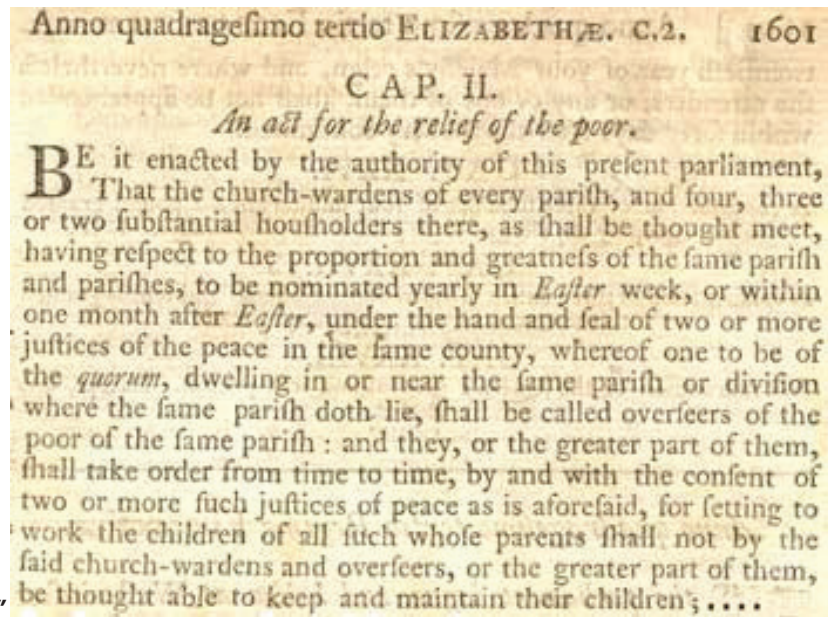
The Poor Law of 1597

In 1597, Elizabeth I promulgated a series of statutes including *An Act for Maintenance of Husbandry and Tillage; An Act for Relief of the Poor; An Act for Punishment of Rogues, Vagabonds, and Sturdy Beggars; An Act for Erecting Hospitals, or Abiding and Working Houses for the Poor; An Act to reform deceits and breaches of trust touching lands given to charitable uses* and *An Act for the Explanation of the Statute made the Fifth Year of Her Majesty's Reign Concerning Labourers*. According to Sidney and Beatrice Webb (1963) it was "an important series of "Orders for the Relief of the Poor"" (pp. 72,73) which aimed at providing relief for the elderly, disabled, the ill and infants through parishes and ordered the vagabonds and beggars to be sent back to their hometowns. Each parish would look after its own poor. It is possible to maintain that the Poor Law of 1597 was more humanistic than prior acts which ordered severe punishments such as slavery or the execution of the vagabonds. The Poor Law of 1597 ordered parishes to provide work for the able-bodied poor in workhouses. However, severe punishments were ordered for those who continue to vagabonding and begging: "Any justice of the Peace, may appoint any person to be openly whipped naked, until his or her body be bloody, that shall be taken begging wandring or misordering him or her self, as is declared by statutes, 39 Eliz. 4. § N. and I Jac. 7. § N. to be a Rogue Vagabond or Sturdy Begger" (The House of Commons, 1597, p. 510). The Poor Law of 1576 and 1597 were the final draft of the 1601 Act for the Relief of the Poor.

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

The Elizabethan Poor Law of 1601

[43 Eliz. c. 2. s. 1. 4.]



"An Act for the Relief of the Poor"

Briefly stated, the 1601 *Act for the Relief of the Poor* was an inevitable and final stage of previously enforced poor laws throughout the sixteenth century. It was a revised and compiled version of former acts.

For instance, Henry VIII started to use the parishes as the smallest administrative unit to organize and distribute the charity and alms to the poor in 1531. Elizabeth did not change this system. Moreover, she gave more responsibility to parishes in poor relief work.

In 1552, Edward VI ordered to keep records of the poor for the first time. It was the first known statistics of the poor in the sixteenth century. Succeeding government of Elizabeth sustained keeping records of the poor in the following years. Again, the Poor Law of 1552 ordered the appointment of collectors for the first time. Twenty years later, in 1572, Elizabeth replaced collectors with overseers and she explained the responsibilities of the overseers in the same year for the first time. By the same token, the Poor Law of 1572 ordered the taxation to fund the poor for the first time.

That is to say, the 1601 Act for the Relief of the Poor maintained the humanitarian provisions of the prior acts and annulled the inhuman ones. It is important to keep in mind that the poor laws of the sixteenth century were not only designed to find a solution to poverty but also defend the rights of the ruling class and landowners, too. As aforementioned above, some of the poor laws in the sixteenth century involved inhumane and severe provisions.

The Poor Law of 1601 categorized the poor into four different classes as impotent poor, able-bodied poor, idle poor and poor children. Thus, it became possible to make the potential workforce of the poor contribute to the economy of the country. In the end of the sixteenth century England had a lot of experience to struggle with poverty. Numerous poor laws and statutes that aimed at keeping balance between the poor and the landowners were put into force. Finally, Elizabeth introduced the revised version of the poor law in 1601. Contrary to the name of the Poor Law of 1536, *An Act for the Punishment of Sturdy Vagaboundes and Beggars*, the name of the poor law enforced in 1601 was *An Act for the Relief of the Poor*. This change in the

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

name of the poor law proves that there was also an alteration and development in the mentality and sense of human rights.

Important Provisions of the Poor Law of 1601

I. Description of the Overseers for the Poor; Their Office, Duty and Account

In the beginning of the statute, along with the functions of the parishes, the duties and qualifications of overseers are described. According to the first clause of the statute, parishes, being the smallest administrative units, were entirely responsible for taking care of the poor in their region. In order to combat with the poverty churchwardens and two, three or four substantial householders, in proportion to the greatness of the parish, would be appointed as overseers of the poor in that parish.

BE it enacted by the authority of this present parliament, That the churchwardens of every parish, and four, three, or two substantial householders there, as shall be thought meet, having respect to the proportion and greatness of the same parish and parishes, to be nominated yearly in Easter week, or within one month after Easter, under the hand and seal of two or more justices of the peace in the same county, whereof one to be of the quorum, dwelling in or near the same parish or division where the same parish doth lie, shall be called overseers of the poor of the same parish: (The House of Commons of Great Britain, 1601, p. 130)

In other words, it was a system in which central government distributed the responsibility of taking care of the poor to the parishes. In this system, overseers administered both almshouses and workhouses. They tried to alleviate the poverty in their region. Their duties were as follows:

II. The Setting to Work and Apprenticeship of Children

It was churchwarden and overseers' responsibility to take care of the children whose family were not able to look after them or not thought able to keep and maintain their children. The churchwarden and overseers were authorized to decide about the children who were in need of help and not. They would set the needy children to work. By doing so, the aim was that these poor children would learn a profession to maintain their life: "... setting to work the children of all such whose parents shall not by the said church wardens and overseers, or the greater part of them, be thought able to keep and maintain their children" (The House of Commons of Great Britain, 1601, p. 130).

III. To Provide Work for the Able-bodied Poor

Able-bodied poor adults were another big problem for the country. It was thought that recruiting the able-bodied poor was important in combating poverty. Therefore, churchwarden and overseers were ordered to set the able-bodied poor on various works. "...and also for setting to work all such persons, married, or unmarried, having no means to maintain them, and use no ordinary and daily trade of life to get their living by" (The House of Commons of Great Britain, 1601, p. 130). Here, the erection of workhouses was remarkable.

IV. Taxation and Set the Poor on Work

Everybody who was not poor was to pay tax periodically for the relief of the poor. The parishes worked as both recruiter and tax collector.

...and also to raise weekly or otherwise (by taxation of every inhabitant, parson, vicar and other, and of every occupier of lands, houses, tithes impropriate, appropriations of tithes, coal-mines, or saleable underwoods in the said parish, in such competent sum and sums of money as they shall think fit,) a convenient stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff, to set the poor on work: (The House of Commons of Great Britain, 1601, p. 130).

However, An Act for the Relief of the Poor of 1597/98 had promulgated this tax for the first time before the release of the Poor Law of 1601.

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

V. The Relief of the Impotent Poor

Overseers had the right of paying sums of money for the relief of the disabled and impotent poor. They had the authority of distributing alms and aid as much as they thought fit.

...and also competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them, being poor and not able to work, and also for the putting out of such children to be apprentices, to be gathered out of the same parish, according to the ability of the same parish, and to do and execute all other things, as well for the disposing of the said stock as otherwise concerning the premises as to them shall seem convenient. (The House of Commons of Great Britain, 1601, p. 130)

VI. Erection of Workhouses

The 1601 Act for the Relief of the Poor made it possible to build poorhouses for the accommodation of the vagabonds and paupers. These poorhouses later came to be called workhouses. The aim of these workhouses was to offer accommodation and work for those who cannot look after themselves. Most parishes erected workhouses as it was one of the most effective ways of combating with the poverty.

Conclusion

The 1500s were difficult years for ordinary people due to profound alterations in the social, economic and political structure of England. The dissolution of the monastery, the emergence of mercantilism, changing nature of trade and agriculture, plague epidemics, migration and ongoing wars were some of those remarkable events of the sixteenth century. These social changes brought new habits and lifestyle, as well as poverty. Therefore, The English Parliament enforced various poor law.

Indeed the 1601 Act for the Relief of the Poor was the codified and revised version of a series of former poor laws. It systematized the existing law by borrowing and maintaining the humanistic clauses of former laws and eliminating the inhumane ones. It can be said that the Poor Law of 1601 introduced some new rules, but the foundation of it was laid much earlier during the reign of Henry VIII.

It simply released the fact that parishes had the responsibility of keeping the records of the poor, orphaned, widowed, sick and injured people in their regions, and looking after those poor people. It categorized the poor into different groups such as able-bodied poor who were healthy but did not prefer working and impotent poor who were disabled, ill or old and cannot look after themselves. It ordered apprenticeship for the children of the poor families who were between the ages of 12 and 18 to teach them a job. Taxation of income, erection of workhouses and almshouses were other clauses of the Elizabethan Poor Law of 1601.

All in all, the efforts of Queen Elizabeth to alleviate poverty and unemployment were highly successful. Today, the 1601 Act for the Relief of the Poor is considered as the beginning of the welfare state.

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

REFERENCES

- Aydelotte, F. (1913). *Oxford Historical and Literar Studies: Elizabethan Rogues and Vagabonds* (Vol. 1). London, England: Clarendon Press.
- Beier, A. L. (2004). *The Problem of the Poor in Tudor and Early Stuart England*. New York, The United States of America: Taylor & Francis e-Library.
- Blanchard, I. (2005). International Capital Markets and Their Users, 1450-1750. In M. Prak, *Early Modern Capitalism: Economic and Social Change in Europe, 1400-1800* (pp. 105-122). London: Routledge.
- Bowes, P. (1682). *The Journals of all the Parliaments During the Reign of Queen Elizabeth, Both of the House of Lords and House of Commons*. (o. t. Paul Bowes, Ed.) London, England: Printed for John Starkey at the Mitre in Fleet Street near Temple-Bar.
- Champion, T. C., Frassetto, M., & others. (2020, 02 04). *History of Europe*. (Encyclopædia Britannica, inc.) Retrieved 04 20, 2020, from Encyclopædia Britannica: <https://www.britannica.com/topic/history-of-Europe/The-emergence-of-modern-Europe-1500-1648>
- Charlesworth, L. (2010, Spring). Welfare's forgotten past: a socio-legal history of the poor law. *Amicus Curiae*(81), 16-20.
- Davis, C. (1966). Slavery and Protector Somerset; The Vagrancy Act of 1547. *The Economic History Review*, 19(3), 533-549. doi:10.2307/2593162
- Emmison, F. G. (1931, 01). Poor Relief Accounts of Two Rural Parishes in Bedfordshire, 1563-1598. *The Economic History Review*, 3(1), 102-116. Retrieved 05 11, 2020, from <https://www.jstor.org/stable/2590627>
- Encyclopædia Britannica, Inc. (2020, 01 31). United Kingdom. Retrieved 05 13, 2020, from <https://0212k93il-y-https-academic-eb-com.proxy.sakarya.deep-knowledge.net/levels/collegiate/article/United-Kingdom/110750#44847.toc>
- Gómez Díaz, D. (2006). Mercantilism. In M. Odekon, *Encyclopedia of World Poverty* (Vol. 3, pp. 705-707). California, The USA: Sage Publications, Inc.
- Grigg, D. (1980). *Population Growth and Agrarian Change: An Historical Perspective*. Cambridge, Great Britain: Cambridge University Press.
- Kelly, M., & Gráda, C. Ó. (2011). The Poor Law of Old England: Institutional Innovation and Demographic Regimes. *Journal of Interdisciplinary History*, 41(3), 339-366.
- Knight, C. (1868). *Charles Knight's Popular History of England: From the Reign of Richard II. to the Reign of Edward VI*. (Vol. 2). London, England : Bradbury, Evans, & Company.
- Kunze, N. L. (1971, Spring). The Origins of Modern Social Legislation: The Henrician Poor Law of 1536. *Albion: A Quarterly Journal Concerned with British Studies*, 3(1), 9-20. Retrieved 05 07, 2020, from <https://www.jstor.org/stable/4048468>
- Mcintosh, M. K. (2014). Poor Relief in Elizabethan English communities: An Analysis of Collectors' Accounts. *Economic History Review*, 67(2), 331-357. Retrieved 05 13, 2020, from <https://www.jstor.org/stable/42921736>

THE ELIZABETHAN POOR LAW OF 1601 AS A RESULT OF SOCIO-POLITICAL AND ECONOMIC CONDITIONS OF THE SIXTEENTH CENTURY ENGLAND

- Miles, A. P. (1949). *An Introduction to Public Welfare*. Boston, The USA: D.C. Heath and Company Boston.
- Miskimin, H. A. (1977). *The Economy of Later Renaissance Europe 1460-1600*. Massachusetts, USA: Cambridge University Press.
- Museum of London. (2011). *London Plagues 1348-1665*. Retrieved 04 28, 2020, from Museum of London: <https://www.museumoflondon.org.uk/application/files/5014/5434/6066/london-plagues-1348-1665.pdf>
- Orsi, C. (2013). Poverty and Subsistence. The Mercantilist Point of View. *History of Economic Ideas*, 21(3), 11-42.
- Quigley, W. P. (1996). Five Hundred Years of English Poor Laws, 1349-1834: Regulating the Working and Nonworking Poor. *Akron Law Review*, 30(1), 73-128.
- Quigley, W. P. (1998). Backwards to the Future: How Welfare Changes in the Millenium Resemble English Poor Law of the Middle Ages. *Legal Studies Research Paper Series*, 9(1), 101-113.
- Slack, P. (1995). *The English Poor Law, 1531-1782*. Cambridge, Great Britain: Cambridge University Press.
- The House of Commons. (1597). An Act for the Relief of the Poor. *An Assistance to the Justices of the Peace, for the easier performance of their duty, 1, Printed in 1682*. London, England: Printed by W. Rawlins, S. Roycroft, H. Sawbridge, Assigns of Richard and Edward Atkins, Esquires.
- The House of Commons of Great Britain. (1536). The Statutes of the Realm: from Original Records and Authentic Manuscripts. *The Statutes of King Henry VIII, 3, Reprinted in 1965*. England: Dawsons of Pall Mall.
- The House of Commons of Great Britain. (1601). The General Highway Act, 5&6 W. IV. C. 50 With Notes and an Index. *Printed in 1835*. (J. B. Esq., Ed.) London, England: Law Booksellers & Publishers.
- The National Archives. (n.d.). *Dissolution of the monasteries 1536-1540*. Retrieved 04 23, 2020, from The National Archives: <https://www.nationalarchives.gov.uk/help-with-your-research/research-guides/dissolution-monasteries-1536-1540/>
- Webb, S., & Webb, B. (1963). *English Local Government, English Poor Law History, Part I. The Old Poor Law (Vol. VII)*. London, Great Britain: Frank Cass and Co Ltd.
- Woodward, D. (1980). The Background to the Statute of Artificers: The Genesis of Labour Policy, 1558-63. *The Economic History Review*, 33(1), 32-44. doi:10.1111/j.1468-0289.1980.tb01152.x