CHAPTER 1

FROM THE SEVENTEENTH CENTURY TO THE EARLY TWENTIETH CENTURY: THE EMERGENCE OF SOCIAL POLICY IN IRELAND

This chapter sketches the key features of the emergence of social policy in Ireland. This spans early state and charitable activity in the seventeenth and eighteenth centuries, through to the more extensive social policy measures and provisions which emerged during the nineteenth and early twentieth centuries, before Ireland gained independence in 1921. The chapter documents the themes of care and social control which were intertwined in a mix of charitable and state provision during the seventeenth and eighteenth centuries. Provision dealt primarily with the ‘problem of the poor’. During this period charitable efforts stand out, but only for categories of the ‘deserving poor’, principally children and the sick poor. State intervention was minimal, and strongly linked to the control and punishment of the ‘undeserving poor’. In the nineteenth century the establishment of the Poor Law continued the concern with poverty and social control, but within the context of a much larger institutional framework. The chapter also identifies the emergence of a more sustained debate about the nature of welfare by the end of the nineteenth century. This encompassed the idea that social policy and state intervention were matters that went beyond the problems of the poor, and resulted in recognition of the needs of some particular groups in the population, including children and older people.

CHAPTER OUTLINE

- The first section of the chapter examines the roots of social policy by looking at the elements which existed prior to the nineteenth century.
- The second section looks at developments during the nineteenth century, which were dominated by the implementation of the Poor Law in Ireland from 1838.
The final section explores the emergence of a modern strand to social policy development in the early twentieth century.

SECTION 1: EARLY SOCIAL POLICY MEASURES IN IRELAND

... there are 34,425 strolling beggars in the kingdom; of which there are not 1 in 10 real objects (of compassion) ... so that we may suppose 30,000 of them able to work. (Arthur Dobbs, Irish Surveyor General, 1729, in Powell, 1989, p. 72)

Early fragments of social policy emerged during the seventeenth and eighteenth centuries, before welfare provision became more easily recognised in the nineteenth century. The historical overview presented here refers directly to social policy developments and initiatives, although this is not how such measures would have been identified at the time. Terms such as relief, correction, and aid, would have been more typically used, reflecting the prevailing ethos of the time. Initially, the maintenance of social order superseded the meeting of needs, despite the existence of large-scale poverty in Ireland. The primary purpose of early provision was to group together people who were considered undesirable to impose some kind of order and control. Undesirability was associated with moving from place to place and being without work if one was physically capable of working or 'able-bodied'. Both of these qualities clashed with the emerging modern values of being settled in one place and at work. Therefore, 'sturdy beggars' who contravened both of these values came in for particular attention. This issue was not exclusive to Ireland; other European countries also perceived beggars as a threat to social stability and implemented measures to deal with them. In the Irish case, the title of one of the earliest pieces of legislation related to social policy includes an extensive list of individuals considered a problem. This was 'An Act for the Erecting of Houses of Correction and for Punishment of all Rogues, Vagabonds, Sturdy Beggars and other Lewd and Idle Persons', which was passed in 1635. The title reflects the concern that idleness and what were construed as illegitimate forms of movement, were to be dealt with using corrective treatment in an environment segregated from the rest of the population. Correction and punishment were implemented by setting people...
to labour and by administering ‘moderate’ whippings. This was intended as
deterrent for the rest of the poor as much as a punishment for the idle poor
(Powell, 1989). However, the legislation proved inoperable due to lack of
financial provisions (Ó Cinnéide, 1969).

The 1635 Act was followed in 1703 by ‘An Act for erecting a workhouse
in the City of Dublin, for employing and maintaining the poor thereof’. The
workhouse, also known as a house of industry, was built near James Street.
Nicholls (1856, p. 37), in his history of the Poor Law in Ireland, noted that
that this Act was the ‘first in which a direct provision is made for the relief
of poverty in Ireland’. However, while this Act marks an acknowledgement
of poverty, the treatment of the poor was very much linked to the need to
maintain order and control. In 1735 an Act was passed to provide a similar
workhouse in Cork, which was built on the Watercourse Road (O’Connor,
erecting a workhouse in the city of Cork for employing and maintaining the
poor, punishing vagabonds, and providing for and educating foundling
children’. These workhouses operated jointly as ‘foundling hospitals’ for
abandoned children. Abandonment was not uncommon at the time, caused
by family poverty. Funding for the workhouses was to be sourced from
special taxes, such as a tax on all imported coal in the case of Cork, and a
house tax in the case of Dublin. This legislation represented an early attempt
to separate out different categories of need from the general mass of ‘idle and
lewd’ persons. As Evason, Darby and Pearson (1976) note, children were the
first to benefit from recognition as a special category requiring more lenient
attention. In the case of the Dublin Act, for example, Dublin Corporation
was required to care for orphans and to ‘apprentice out such children to any
honest persons, being Protestants’ (cited in ibid., p. 4). In this case early
social policy was also used as an instrument of proselytisation, specifically
for promulgating Protestantism.

By the 1720s the Dublin workhouse became the Dublin Foundling
Hospital, due to the large numbers of children being abandoned by poor
families. However, conditions within the Foundling Hospital were incredibly
harsh, indicated by the number of children who died in the institution.
Between 1790 and 1796, for example, of the 12,768 children admitted,
9,786 died (Raftery and O’Sullivan, 1999). The hospital was later described
by the Royal Commission on the Poor Laws of 1909 as ‘the most gigantic
baby-farming, nursing, boarding-out and apprenticing institutions that these
countries have ever seen’ (cited in ibid., p. 54). In response to the awful
conditions at the foundling hospital, and also the fact that children boarded
out from there were brought up as Protestant, many Catholic orphanages
were set up by local parishes on a voluntary basis. These orphanages arranged
for children to be boarded out to Catholic families, and thus ‘rescued’ from
the proselytising efforts of Protestants.
For adults, ‘legitimate’ or ‘deserving’ beggars were recognised and distinguished from ‘undeserving’ or ‘sturdy’ beggars in an Act passed in 1772. This was ‘An Act for badging such poor as shall be found unable to support themselves by labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by labour or industry from begging’. Beggars were separated into two groups: those whose activity was officially recognised and who were granted a badge to beg; and those who were ‘able-bodied’ and thus deemed fit to work. The latter were to be punished by being placed in stocks, with a three-hour stint for a first offence, and six hours for every re-offence (Nicholls, 1856). This Act also allowed for the erection of more workhouses, and by 1838 when the Poor Law was implemented, a total of nine workhouses were in operation in Ireland (Farley, 1964).

Outside of the workhouses, some developments were also taking place in the area of healthcare, although such initiatives came mainly from charities or philanthropists, not the state. According to O’Brien (1999, p. 199):

… in the limited imagination of the non-poors, poor people in normal times fitted roughly into two categories: the sturdy beggars and the sick … The sick poor … attracted sympathy rather than hostility. This reflected, partly, the popular recognition that sickness was not confined to the lower orders; partly also the realization that, whereas poverty was the result of improvidence and idleness, sickness was an act of God.

Therefore, as O’Brien puts it, ‘if you had the misfortune to be poor, you were better off being sick also’ (ibid.). This again reflects the distinction between the ‘deserving’ and ‘undeserving’ poor. The first voluntary hospital, founded by six surgeons, was opened on Cook Street in Dublin, with a mission to care for the ‘maim’d and wound’d poor’ (Kelly, 1999, p. 27). This became known as the Charitable Infirmary. Another Charitable Infirmary, known as the North Charitable Infirmary opened in Cork in 1744. Two other voluntary hospitals opened in Dublin, Dr Steeven’s Hospital in 1733, initially funded by a legacy left by Dr Richard Steeven, and Mercer’s Hospital, opened by Mary Mercer in 1734. Following the establishment of these general hospitals, several more opened, often catering for more specific aspects of healthcare, such as fever hospitals and maternity
hospitals, also known as ‘lying in’ hospitals. The philanthropic efforts of the individuals involved in funding and running these hospitals were in part calculated to enhance their status in the community. And while the poor who availed of the hospitals did not have to pay, they were reminded of their status as objects of charity by being expected to publicly acknowledge their indebtedness (Geary, 2004). All of these hospitals were supported by a ‘web of charitable bodies that sprang up alongside them’ (Kelly, 1999, p. 27). In Cork, for example, the Charitable and Musical Society raised funds for the North Charitable Infirmary by holding musical performances, and in Dublin, the proceeds of the very first public performance of Handel’s Messiah in 1742 went to Mercer’s hospital (Geary, 2004). However, charitable funding alone was insufficient, as the level of need among the sick poor was very high, and many of the hospitals went through several phases of expansion as a result. Many of the hospitals eventually received public funding to supplement their charitable income.

These voluntary hospital initiatives did not extend outside of the main cities, and a network of rural hospitals was not established until the 1765 County Infirmaries Act provided for the creation of an infirmary in each county. These were funded by parliamentary grants, grand jury presentments, and donations. However, these hospitals quickly became very run-down, and as Geary (2004, p. 53) notes, the Act ‘was imperfect in many respects ... these institutions were too few, too small, and often inconveniently located. They were limited by the method of funding and staffing, and by the absence of proper supervision and control.’ Dispensaries also began to emerge in the late eighteenth century, mainly in urban areas. These were designed to provide out-patient care, and included apothecaries, which dispensed medicines to the poor. Apothecaries were essentially the precursors of pharmacies. At that time the practice of an apothecary was described in the language of ‘art and mystery’ in the 1791 Act aimed at regulating them, reflecting the early status of modern medicine. Again, the dispensaries were a voluntary initiative, meeting the needs of the sick poor on money raised from voluntary subscriptions.

Education was also provided mostly outside of the state framework at this time. Again, voluntary groups were the main actors, and the provision of education was divided along religious lines. Several Protestant societies, such as the Association for Discountenancing Vice and the Baptist Society for Promoting the Gospel in Ireland, ran primary and second-level schools, and their activities were assisted with some public funding, as a means of spreading Protestantism and of increasing the use of the English language (Coolahan, 1981). In contrast, the Penal Laws of the seventeenth century made life very difficult for Catholics, and while Catholic organisations were forbidden to establish schools, an unofficial system of hedge schools
operated. Once the Penal Laws were repealed, the growth of Catholic-run schooling became significant, including education provided by the Christian Brothers and the Presentation Sisters. However, unlike the Protestant organisations, these groups did not initially receive state funding.

SECTION 2: IRISH SOCIAL POLICY DEVELOPMENTS AFTER 1800

The nineteenth century began with the Act of Union in 1800, under which Ireland and Britain became one political unit. Ireland lost the political autonomy it had through a devolved parliament, and any further developments depended on decisions taken in London. While state intervention in matters of welfare grew throughout the century, as McPherson and Midgley (1987, p. 9 in Cousins, 2005a, p. 7) note:

… the nature of colonial administration gave emerging welfare institutions distinctive features which heavily influenced policy making. Administrations were highly bureaucratic and extremely centralised – designed for control, maintenance of order and downward transmission of policies formulated elsewhere.

The most significant development in terms of welfare in the nineteenth century was the introduction of the Poor Law to Ireland in 1838, which emphasised control and the maintenance of order, and also hardened the distinction between the ‘deserving’ and ‘undeserving poor’. However, before elaborating on this point it should be noted that some other noteworthy developments did take place earlier in the century, marking the emergence of state intervention, particularly in the areas of health and education.

In 1805 legislation was introduced to fund dispensaries in rural areas. If local voluntary subscriptions could be raised then a similar amount would be provided by county grand juries through taxation. However, this initiative was patchy in terms of meeting need. Often, wealthier areas were more likely to raise the initial sums needed through voluntary efforts, yet these areas would be less in need of the services of a dispensary than poor districts. Unequal access to healthcare has therefore a long history: ‘then, as now, medical relief was not equally available to all’ (Geary, 2004, p. 63). In 1817 the establishment of a network of public lunatic asylums was approved, making Ireland the first country in Europe to experience such a development (O’Brien, 1999). This was an improvement on the previous practice of consigning ‘lunatics’ to houses of industry, and it mirrored a shift in thinking
from punishment to the idea that mental illness could be medically treated. Twenty-two asylums were built between 1810 and 1869, and admission rates increased steadily during the nineteenth century (Malcolm, 1999).

The establishment of a national school system in 1831 was another development which put Ireland ahead of England. Education was increasingly recognised as an asset in developing economic and industrial strength, but in Ireland’s case, education was a powerful tool of cultural control in a colonised country. Several commissions were established to examine education in Ireland, and by 1831 the government decided to establish a Board of Commissioners for National Education whose members would be both Catholics and Protestants. This Board was given responsibility for funding and regulating schools. The arrangement was intended to develop multi-denominational schooling, although the system gradually tilted towards denominational education, as none of the religious groupings were happy with a multi-denominational ethos (Coolahan, 1981).

While these initiatives marked some innovative developments, on the whole Ireland was not progressing economically or socially. Unlike Britain, most of Ireland did not experience an industrial revolution; the economy remained largely agricultural, serving both its domestic needs as well as a growing market for food in Britain, owing to its industrial transformation. This also meant that there was a demand for Irish labour in Britain, while Irish cottage industries, particularly textiles, suffered a decline as they couldn’t compete with the growth of cheaper factory-produced textiles in Britain (Mokyr and Ó Gráda, 1988). This was compounded by an economic depression in Ireland during the early to mid-1800s, primarily due to events in Britain, where a period of economic austerity reduced demand for Irish produce. Within Ireland, almost all land was owned by landlords who, as Daly puts it, ‘represented the peak of the Irish social pyramid’ (1981, p. 6). Below them were tenant farmers, many of whom found it difficult to pay rent at this time. Farm labourers, who got work on a temporary basis, also fared badly. There was less demand for their services as farmers couldn’t afford to pay them. Landlord–tenant tensions rose as the effects of long leases became apparent: tenant farmers tended to further sub-divide their land, resulting in too many farmers on too small holdings, unable to produce enough for survival or to pay their rents. Some landlords responded by reducing the length of new leases and consolidating farms by evicting small farmers and creating larger farms to rent. The scene was set for escalating levels of poverty and inequality. This was confirmed by the findings of the Poor Law Inquiry Commission, established in 1835 to investigate poverty in Ireland. Although the Commission did not clearly define or set standards for measuring poverty, it concluded that the circumstances of three out of the eight million people in Ireland would allow them to claim relief (Mokyr...
and Ó Gráda, 1988). This level of poverty was supported by the 1841 census, which recorded one in three families living in one-room cabins (Daly, 1981).

A Poor Law for Ireland

The Poor Law Inquiry Commission was the culmination of several commissions and investigations into the conditions of the poor in Ireland since the Act of Union; however, their various recommendations were rarely acted upon. This inaction changed with the growing feeling that there were too many Irish people availing of the Poor Law in Britain. Movement between the two countries was not uncommon, with a constant stream of migrant workers leaving Ireland for work in Britain, particularly after a regular steamboat service was set up between the two countries in 1815. Some labourers, particularly those who moved their families to Britain, became destitute. Even though they were not entitled to avail of poor relief until after five years of residence, it was, as McLoughlin (1990, p. 118) notes, ‘the increasing visibility of these Irish poor on the English scene and their perceived threat to both wages and social order which provided the principal impetus for the 1838 Poor Law Act and the initiation of the workhouse system of relief’. This also indicates that debates about the implications of migration are not exclusive to the contemporary context, dealt with later in this book (see Chapter 12). The Poor Law cast a long shadow over the development of social policy in Ireland, in terms of attitudes, administration, and rules and regulations attached to services, so it is useful to examine its implementation in some detail.

To understand the Poor Law in Ireland, we need to look at its operation in Britain where it was already well established. In 1601 an Act for the Relief of the Poor provided outdoor relief in Britain to ‘able-bodied’ adults who were poor. Outdoor relief meant that assistance, often in the form of food or clothing, could be given in people’s own homes, as opposed to requiring them to enter a workhouse. Two centuries later, however, the dominant ideas about welfare had changed and this approach was thought to be too lenient and too expensive. The 1601 Act was amended in 1834 with a new Act, known as the New Poor Law and entitled ‘An Act for the Amendment and Better Administration of the Laws relating to the Poor in England and Wales’. A new principle was introduced called the principle of ‘less eligibility’.

Two members of the Royal Commission appointed in 1832 to investigate the Poor Law in Britain, Edwin Chadwick and Nassau Senior, believed that the 1601 Poor Law had actually succeeded in encouraging pauperism by giving relief to the ‘able-bodied’ poor and had therefore made living
on relief more attractive than working. The dominant view of poverty at the time was that it was the fault of individuals and their particular character traits, such as idleness, rather than being caused by structural factors outside the control of an individual person, such as lack of work. Thus, it was felt that the existing Poor Law system only encouraged ‘the indolence and improvidence of the poor’ (Jones, 1910, p. 361). Here again, another issue can be identified which recurs in debate throughout the history of social policy, namely, welfare and its perceived negative effect on character. In order to discourage this effect, Chadwick and Nassau Senior argued that relief to the ‘able-bodied’ poor should be given in workhouses only, where conditions would be less attractive than the standard of living one could achieve by earning a wage, however low. This was intended to deter those who were not truly destitute, and was otherwise known as the workhouse test.

The Royal Commission therefore advocated the principle ‘that the condition of paupers shall in no case be so eligible as the condition of persons of the lowest class subsisting on the fruits of their own industry’ (cited in Ó Cinnéide, 1969, p. 286). This principle, known as the ‘principle of less eligibility’, dictated that relief for the able-bodied should only be available within workhouses. Entering the workhouse meant that one took on the status of a pauper, meaning one was not just poor but completely destitute as, ‘destitution not poverty, would be the criterion for eligibility’ (Burke, 1987, p. 22). The overall character of the new Poor Law is summed up well by Jones (1910, p. 362):

Destitution is the result of defective personal character; the firm and regular offer of the workhouse will convert the potential pauper into an independent labourer; in any case, the condition must be made worse than that of the free labourer; thrift, occupational improvement, manly independence, domestic peace, follow in the wake of strict administration. So runs the doctrine …

The Poor Law was transferred to Ireland after the rejection of more progressive proposals made by the Royal Commission of Inquiry into the Condition of the Poorer Classes in Ireland. The Commission, headed by Dr Whately, the Protestant Archbishop of Dublin at the time, took the view that a Poor Law would be inappropriate for Ireland; the conditions were so bad that the principle of ‘less eligibility’ would prove inoperable. The Commission commented that ‘we see that the labouring class are eager for work; that work there is not for them, and that they are therefore, and not from any fault of their own, in permanent want’ (cited in O’Connor, 1995, p. 54). The Commission recommended that Ireland’s resources needed
development to provide employment, and to supplement this, a scheme of assisted emigration was recommended to enable those who could not find work in Ireland to find it abroad.

This view clashed with the dominant ideas underpinning the new Poor Law in Britain and the Commission’s recommendations were rejected. George Nicholls, one of the Poor Law Commissioners in England who fully endorsed the ideas behind the new Poor Law, was sent to investigate the feasibility of implementing it in Ireland. He produced a report after a six-week visit to Ireland, in which he emphatically recommended ‘that, in Ireland, no relief should be given except in the workhouse. I do not propose to impart a right to relief, even to the destitute poor’ (cited in Ó Cinnéide, 1969, p. 288). He felt that the deterrent would be a ‘first step, towards effecting an improvement in the character, habits and social conditions of the people’ (cited in Burke, 1987, p. 42). In the case of Ireland, this view of poverty as the fault of the individual complemented the racialised view of Irish people in the eyes of their British colonisers. The Irish were perceived as an inferior race and uncivilised in comparison to the English and, following this line of thinking, it was expected that Irish people would naturally exhibit the depraved traits of being poor. So, for example, when Nicholls (cited in Burke, 1987, pp. 41–2) reported his observations about the peasantry in Ireland, he commented that:

They seem to feel no pride, no emulation; to be heedless of the present, and reckless of the future. They do not … strive to improve their appearance or add to their comforts. Their cabins still continue slovenly, smoky, filthy, almost without furniture or any article of convenience or decency … If you point out these circumstances to the peasantry themselves, and endeavour to reason with and show them how easily they might improve their condition and increase their comforts, you are invariably met by excuses as to their poverty … ‘Sure how can we help it, we are so poor’ … whilst at the same time (he) is smoking tobacco, and had probably not denied himself the enjoyment of whiskey.

In keeping with the views of Chadwick and Nassau, Nicholls (1856, p. v) felt that the objective of the Poor Law was:

... to relieve the community from the demoralization as well as from the danger consequent on the prevalence of extensive and unmitigated destitution, and to do this in such a way as shall have the least possible tendency to create the evil which it is sought to guard against ...
Nicholls proposed that a Poor Law be introduced to Ireland by dividing the country into 130 Poor Law unions, with a workhouse catering for 800 people in each union, run by a local board of guardians, paid for by a local tax (Poor Law rate), and overseen by a Poor Law Commission located in London. This proposal was quickly accepted and legislated for in the 1838 ‘Act for the more effectual relief of the destitute poor in Ireland’.

**Implementation of the Irish Poor Law**

There were two key components to what was considered effective relief in the application of the Poor Law. Firstly, there was no automatic entitlement to relief, and secondly, life within the workhouses was to be highly regulated. The lack of a right to relief meant that entry was at the discretion of the board of guardians, and as it quickly became apparent that the number of workhouses built was completely insufficient, women, children and the aged were prioritised over able-bodied but destitute men. However, if a man was granted relief in a workhouse, his family had to enter the workhouse with him, becoming pauperised as well. Once in the workhouse, regulations and classification systems were a central feature in the way workhouses were managed. The interest in classifying people was part of a wider pattern in the emergence and growth of social scientific knowledge at this time. Early social scientists, such as Bentham, aimed to create a body of knowledge about the social world, in a similar fashion to the way that scientists were producing knowledge and classifying components of the physical world. The more knowledge produced about the social world, the more amenable it would be to reform and improvement. This thinking was applied with zeal in the workhouses; the more groups could be classified, the easier it would be to create order and to reform, and the whole enterprise was thought to operate on precise, scientific grounds as a result (Clark, 2005).

Those entering the workhouse were therefore not treated as a homogeneous group. The classification system in the workhouses, laid down by the *Compendium of the Irish Poor Law; and general manual for Poor Law Guardians and their officers*, published in 1887, was as follows:

1. Males above the age of 15 years
2. Boys above the age of 2 years, and under 15 years
3. Females above the age of 15 years
4. Girls above the age of 2 years, and under 15 years
5. Children under 2 years of age

(cited in O’Mahony, 2005, p. 6).

These groups were to have separate spaces in the workhouse, with different food rations, and they were not supposed to mix. However, this attempt at
an ordered state of affairs failed, as the workhouses quickly descended into a dilapidated state. Lack of discipline within workhouses was often attributed to poor implementation of the classification system, and when separate categories were allowed to mix, it was felt that it paved the way for ‘moral contagion’ (Englander, 1998). Attempts at more stringent implementation of workhouse rules and regulations paled into insignificance as the onset of the famine in 1845 resulted in a crisis for the workhouse system.

The Poor Law during the Great Famine and beyond

The Workhouse is filled beyond what prudence would suggest as safe to the health of the inmate, or that of the city. At most, it can shelter but a few hundreds more – while every lane in the city has its hundreds of starving poor – while every parish in the city swarms with THOUSANDS of destitute men, women, and children. (*The Cork Examiner*, 14 May 1847)

During the Great Famine (1845–7) the level of destitution escalated in Ireland due to the failure of the potato crop, which was the main food source for the majority of the population. People who were previously reluctant to enter the workhouse now had to resort to it as the sole source of relief. overcrowding was the inevitable result. One million people died during the famine, yet state intervention was based on a workhouse system which was designed to cater for approximately 110,000 people. By 1851 there were 217,000 inmates in the workhouses (O’Connor, 1995).

The government’s response to this scale of failure was minimal, and significant changes were not implemented until voluntary initiatives paved the way. Voluntary organisations, such as the Society of Friends, otherwise known as the Quakers, raised money to set up a system of soup kitchens. In 1847 there was public outcry in Britain after artists’ depictions of the famine were printed in the British media, and this led to a government-funded scheme of soup kitchens to give relief to those who could not gain admittance to the overcrowded workhouses (O’Connor, 1995). Subsequently, in June 1847, a significant piece of legislation was introduced, in the form of the Irish Poor Relief Extension Act, 1847. The Act introduced a right to relief and allowed boards of guardians to provide outdoor relief. Outdoor literally meant outside of the workhouse, and relief was given in the form of food only, by ‘relieving officers’. A system of deterrence also accompanied outdoor relief. Only certain groups of people were entitled; these included the sick, the aged, and the widowed, provided they had two or more dependent, legitimate children. Relief for the able-bodied was still limited to the workhouse for fear that giving outdoor relief would encourage idleness among those capable of working. The Poor Law Commissioners’
decision to begin displaying the names of those receiving indoor and outdoor relief acted as another deterrent. While the list was to inform the ratepayers who were funding the service, it also acted as a measure of fraud detection by encouraging ‘all trustworthy persons in the union’ to give information ‘on circumstances of persons receiving relief’ (First Report of the Irish Poor Law Commissioners, 1848, cited in Burke, 1987, p. 135). This practice continued until the 1920s. The provision of relief became a little more generous by 1880 with the introduction of the Relief of Distress Act, which extended outdoor relief to all categories of need. One component of the contemporary social welfare system, the Supplementary Welfare Allowance, can be traced back to the introduction of outdoor relief.

An assisted emigration scheme also emerged out of the crisis of the workhouse system during the famine. Boards of guardians became empowered to assist workhouse paupers to emigrate to other British colonies experiencing a labour shortage, especially Canada and Australia, where there was a shortage of women. Boards of guardians were particularly keen to arrange for the emigration of their female inmates because after the worst of the famine was over, the population within the workhouses tended towards a greater proportion of women, as more work became available for men. There was a fear that women and children would become a long-term burden and they were described as ‘permanent deadweight’ (Moran, 2004a, p. 123). At the same time, however, females deemed suitable for emigration had ‘to be imbued with religion and morally pure’ (Limerick and Clare Examiner, 31 May 1848, in ibid., p. 130). As for those remaining in Ireland, it was felt that if the surplus poor emigrated, improvement would follow for the rest of the population. As Duffy (2004, p. 80) points out, ‘the idea of overpopulation as an “encumbrance on society”, restricting improvements in moral and social order and civilisation, was fashionable in colonial discourse’. Emigration under the Poor Law system began in 1849 and continued until 1906, during which time approximately 45,000 people were assisted to emigrate (Moran, 2004b). This figure is part of a much larger number of people who emigrated from Ireland in the decades after the famine. Many were assisted by voluntary organisations and by landlords. Voluntary organisations financed schemes to help the poor to emigrate in search of better lives. Some landlords found emigration schemes attractive, calculating that it would cost them less to assist people to emigrate than to continue funding them via the workhouse, given the rising Poor Law rates they had to pay during the famine.

The rise in levels of sickness and disease was an inevitable consequence of the famine, and legislation was introduced in 1846 to require Poor Law unions to build fever hospitals on workhouse grounds. This expanded the role of the Poor Law system in providing healthcare, as previously workhouses only had a sick ward. Pauper graveyards also became part of the system after
1847, as Poor Law unions were empowered to buy extra land to open graveyards to cope with the large numbers dying in the workhouses and fever hospitals. The role of the Poor Law system in administering health services expanded greatly in 1851, as the boards of guardians took over the running of dispensaries, thus extending the ‘outdoor’ nature of relief available under the Poor Law. This was legislated for under the Medical Charities (Ireland) Act, 1851. Under this legislation, the existing dispensaries were reorganised across the Poor Law unions. Each Poor Law union was divided into a number of dispensary districts, and services were to be funded by the poor rate. Under this arrangement boards of guardians had to look after dispensary buildings, supply medicines and pay the dispensary doctor attached to each district. Dispensary doctors were charged with the care of people who couldn’t afford to pay for their own healthcare and who had obtained a ticket from the management committee appointed by the board of guardians to run the service. The tickets issued were known as black and red tickets, black indicating that the bearer was entitled to receive care and medicine at the dispensary, and red indicating that the nature of the recipient’s condition required home visits by the doctor (Cassell, 1997). The decision as to who was entitled to a ticket was left to the discretion of the management committee, who judged each individual case. The legislation used the words ‘poor persons’ as opposed to paupers when referring to who could access free healthcare from a dispensary; however, no guidelines to aid decision-making were included in the legislation. As a result, while the right to healthcare was not introduced, the legislation expanded the numbers of people who could potentially be granted free medical relief. Following this, the role of the Poor Law in providing hospital care was also expanded through the Poor Law (Ireland) Amendment Act, 1861. This provided for the conversion of workhouse infirmaries into general hospitals, where poor persons with non-contagious diseases could be admitted. This reflected the fact that after the famine, as well as the growing proportion of women in the workhouses, other groups whose admission was growing included the aged and the sick.

Within the workhouse hospitals nuns became an important part of the nursing staff and by 1903 nuns were responsible for the nursing duties in 84 unions (Luddy, 1999). Nuns performing nursing work were attractive to boards of guardians because they generally offered to work for low pay and they ‘would bring with them into the workhouse all those virtues with which “good” women were credited. They would also, more importantly, create a docile and passive inmate and a more moral female patient’ (ibid., p. 107). The influence of the nuns was welcomed at this time because, by the 1850s, as Luddy documents, female poverty and the rising number of women presenting at the workhouses was conflated with sexual immorality. The presence of nuns was therefore perceived to help prevent the risk of moral
contamination these women posed. Visiting ladies committees, often made up of the wives of landowners, also sought to have some effect on the character and welfare of female inmates, particularly children (O’Connell, 1880).

The growth of the Catholic Church as a provider of social services from the mid-nineteenth century

The inclusion of nuns on the staff of workhouse hospitals was part of a growing trend of Catholic involvement in welfare provision. As already discussed, charitable activity was already long-established; however, the mid-nineteenth century marked the development of a stronger and more organised Catholic Church in Ireland. It was particularly keen to take over existing activities, such as small local orphanages, and to develop bigger institutions in the fields of health, education and childcare, with women and children foremost in their work. Their activity also focused on countering the conversion efforts of Protestant charities. However, both groups had similar attitudes to the poor they set out to help. As Preston (1998, p. 106) notes, ‘many charities noted in their statement of intent that they helped only those who “deserved” aid’. Thus, the distinction between the ‘deserving’ and ‘undeserving’ poor was not exclusive to state-provided welfare. This was clearly evident in the titles of some of the charities, for example, the Dublin-based ‘House of Protection for Distressed Young Women of Unblemished Character’ and the ‘House of Refuge for Industrious and Distressed Females of Good Character’. Both of these were Catholic charities that aimed to train destitute women in skills such as laundry to enable them to gain employment (ibid.). For women who had ‘fallen’, whose character was considered redeemable, there was the female penitentiary or ‘Magdalen’ system, which aimed to house and reform women. Magdalen homes initially targeted prostitutes and subsequently unmarried mothers. The first Magdalen home was established in Dublin in 1767, but as congregations of religious women grew, a network of larger Magdalen asylums formed, including, most notably, homes run by the Good Shepherd Sisters, such as homes opened in Waterford in 1858, and in Sundays Well in Cork, in 1869 (Finnegan, 2001). A strict disciplinary regime was followed in the Magdalen homes, based on penitence and obedience, with laundry work, carried out in silence, being the women’s daily activity. Far from being unknown to the wider community, these homes advertised for laundry as a way of funding their operations:

The Magdalen Asylum Laundry. [Waterford]
The Community of the Good Shepherd beg to inform the public that in the new Magdalen Asylum Laundry, under their care, washing is done most carefully and satisfactorily as can be testified by the gentry of both County and City. The Community earnestly solicit the
County and City Clubs, and also private families to send their washing, as the work in the Laundry at present is not sufficient to keep the penitents employed, and is besides, inadequate for the maintenance of the daily increasing numbers who make application for admission. The Magdalen Asylum Laundry van will call to any place in and around the City for washing, and will deliver it in due time when done. (Waterford Chronicle, 14 December 1895, cited in Finnegan, 2001, p. 47)

Besides the Magdalen homes, disciplinary control also featured heavily in the industrial and reformatory schools which began to open from the late 1850s. These were funded by the state but managed by religious groups. The first schools opened in Dublin; the first reformatory school in Drumcondra in 1858, and the first industrial school in Sandymount in 1869. The industrial schools operated on the principle of taking children ‘in their early childhood, training them to industry and good conduct’ (cited in Raftery and O'Sullivan, 1999, p. 63). The children placed in industrial schools included those whose parents were poor and considered to be unfit or unable to look after their children, as well as orphans, and children of unmarried mothers. Many of these children would have previously ended up in the workhouses, now they were brought up in the industrial schools, in an environment considered more appropriate for them. But there were other considerations as well. Echoing some of the logic behind the Poor Law, the industrial school system was considered:

… by far the cheapest and best in every point of view, since it saves the expense of prosecuting and imprisoning the children; and what is more important, by preventing them from becoming criminals, protects the community from the losses and evils they would inflict upon it. (ibid.)

Reformatories catered for children who had been sentenced by the courts after committing an offence – usually something minor. Running these schools was an attractive proposition for the Catholic Church, because it gave them an opportunity to ‘save the souls’ of these children, and the institutional model of care represented ‘an efficient means of maintaining the maximum control over the recipients of this care’ (ibid., p. 57). Thus both types of school expanded rapidly, despite the fact that the early inspectors of the schools were critical both of the expansion of the system and the substandard levels of care they found in many of the schools.
That one-half of the world knows not how the other half lives is a truth, not always acknowledged by us, but one that is strikingly emphasised when one descends into the lives and homes of those who are destined to live perpetually on the border line of subsistence, and work out a hand-to-mouth existence from day to day. (MacSweeney, *A Study of Poverty in Cork City*, 1915, p. 93)

Some important developments came late in the nineteenth century which marked the roots of modern social policy. These were underpinned by a change, or at least a partial shift, in attitudes about poverty and poor people, and in thinking about welfare, which occurred in general and not just in Ireland. The view of poverty as a personal failing was challenged by links established between poverty and problems beyond individual control, such as unemployment. The idea that welfare was something for the poor only, which rich people paid for but didn’t avail of, and the impulse to control recipients of relief faded somewhat. Welfare began to be perceived as a matter of rights, where an individual’s needs were met as a member of society or as a citizen, not a matter of charity calibrated by notions of what was deserved. As a result, ‘the deserving poor were transformed into “needy fellow citizens”’ (Dross, 2002, p. 86). However, this was not a rapid transformation; changes were often the outcome of conflict between those who maintained the view that the Poor Law was the most effective solution for social problems, and those who felt that people should be compensated for the problems encountered in an industrial society, such as unemployment and old age.

In Britain, emerging research about the extent of poverty, the growing strength of the labour movement, and the establishment of the Fabian Society, all contributed to the push towards newer social policy developments that would eventually supersede the Poor Law. (These themes are dealt with in more detail in Chapter 4). These social policy developments, which were implemented in Ireland as well, were not so radical as to completely overthrow the Poor Law system; instead, developments occurred whereby particular categories of people were regarded, not as paupers, but as entitled to welfare as a right. The first legislation contributing to a structure of provision outside the Poor Law was the Workmen’s Compensation Act, 1897. This Act was significant because it was based on the recognition that a person’s inability to work could be due to accidents at work, for example, which merited compensation, rather than leading to
destitution and the workhouse. The passing of this Act marked the beginnings of a period in which there was ‘a very decided advance in the cause of social legislation’ (Shannon Millin, 1917, p. 306).

The introduction of non-contributory old age pensions, which had long been campaigned for as a matter of right completely detached from any notion of pauperism, was a particularly notable advance. The Old Age Pension Act, 1908, meant that people over 70 could qualify for a pension, and the rate at which they received the payment depended on their means. However, there were some conditions attached to entitlement. One of the reasons the pension was introduced was because of the high numbers of aged poor residing in workhouses, and it was felt that a pension would help this group leave behind the workhouse and the ‘disreputable inmates’ with whom they were forced to live. Consequently, to ensure that the pension went to the ‘deserving aged’ only, several disqualifications applied. These included being in receipt of outdoor relief, being convicted under the 1898 Inebriates Act, and being detained in a lunatic asylum. Those who ‘“habitually failed to work” according to their ability, opportunity and need for their maintenance’ (Farley, 1964, p. 18) were also disqualified. At the same time, the introduction of a state pension was quite a radical departure from previous welfare provision, and older people in Ireland fared particularly well, as the rates set were referenced against wages and living standards in Britain which were higher than in Ireland. For many men it meant that they returned to live with their extended families, with the pension contributing something to the household income, while it enhanced the status and independence of many older women (Guinnane, 1993). There was, however, the feeling that the initial number of claimants in Ireland did not accurately reflect the actual number of people who were over 70. This was complicated by the fact that a system of birth registrations was not fully functioning until 1864. As a result, some people got their pension early, with divine intervention getting the better of the pension administrators, as evidenced below:

Grateful thanks to the Sacred Heart of Jesus for obtaining my Old Age Pension five years before it was due. (Thanksgiving notice published in a provincial newspaper cited in Ó Gráda, 2002, p. 134)

A Children’s Act, commonly known as the Children’s Charter, was also introduced in 1908. It was the first comprehensive piece of legislation to deal with children and was considered progressive in its time. The Act sought, in the words of its instigator Herbert Samuel, to rescue children from the ‘bad home’ (cited in Dawson, 1910, p. 388). It provided for tighter regulation and inspection of the guardians of children and protected children against assault, ill treatment and danger to life or health by any person caring
for them. This Act and its later amendments, as Raftery and O'Sullivan (1999, p. 21) point out, ‘was to form the legislative basis for child welfare services in Ireland for much of the twentieth century’.

Alongside legislation in these areas, progress was notable in relation to housing and rural development, demonstrated by several pieces of legislation which dealt with circumstances specific to Ireland. These circumstances had to do with increasing unrest, particularly in relation to land matters under colonial rule. One strand of this was the establishment of the Congested Districts Board in 1891, which was charged with the task of developing the poorer western regions of the country and dealing with congestion, or overcrowding. It attempted to consolidate unviable small holdings by buying up and then redistributing land, and it also aimed to create sustainable livelihoods by developing agricultural and fishery resources. This was, as Fahey and McLaughlin (1999, p. 120) note, ‘a unique experiment in state-led development at the time’. It went strongly against the grain of minimal intervention and minimal redistribution which had been the prevailing state ethos. The Board was also active in building new houses and improving the existing housing stock and in this respect it was part of a larger housing initiative which again was unique to Ireland. A series of Labourers’ Acts in the late nineteenth and early twentieth century were designed to build houses for rent by landless agricultural labourers, and a total of 41,000 houses were built by 1921. This initiative was, according to Aalen (1992, p. 140, in ibid.), ‘the first public housing programme in the British Isles and probably in Europe’. The rural example led to pressure for similar funding of urban housing and in 1908 a Housing Act was passed to provide for urban housing development. Consequently, the provision of urban housing was well ahead of British provision in the early decades of the twentieth century (Fahey, 2002).

One final significant development prior to Ireland gaining independence in 1921 was the introduction of the National Insurance Act, 1911. This again gave workers something to rely on as a right, outside of the Poor Law, and established the beginnings of insurance-based social security. The Act was based on contributory insurance, with contributions coming from three sources, the employee, the employer and the state. The proposed Act was composed of two parts. The first part provided health insurance giving entitlements to medical benefits, including a free general practitioner service and free medicines (on prescription) that would be set apart from the dispensary service. The second part provided national insurance giving benefits in the event of sickness or unemployment. Thus, the structural causes of unemployment were gaining some recognition and the language of the ‘able-bodied poor’ began to fade. Despite the security offered to workers by the Act, it was opposed by many groups in Ireland, including
the Catholic Church, the medical profession and the Irish Party on grounds such as cost and whether a predominantly agricultural country needed such a measure (Powell, 1992). On foot of this opposition, a compromise was reached which meant that while the National Insurance Act was applied to Ireland, medical benefit was excluded. This meant that an opportunity to develop an insurance-based health system was lost. Another long-lasting implication of this Act was the male breadwinner model of social security which underpinned the legislation. The Act operated on the assumption that the man, as head of the household, was the most important or sole wage earner. Women, whether married or single, were considered less important earners in this scheme of things and were treated differently in terms of contributions and benefits (Yeates, 1997). These differences, though modified over time, have had long-lasting effects in terms of inequalities between men and women in the social security system.

Despite this discrimination against women, many women’s groups were active in Ireland at this time, and women became more involved in public life beyond charity work. As Luddy (2002, p. 72) notes, ‘by the beginning of the twentieth century women had created a diverse group of formal organizations that allowed them political expression. In addition to reform societies, which had originally been connected with women’s philanthropic work, unionist, nationalist, suffrage, cultural and labour organizations had also been created.’ The first suffrage society in Ireland had been established by Isabella Tod in 1871; in 1908 the Irish Women’s Franchise League was formed and ‘the vote’ was finally granted to women over 30 in 1918. Local government reform in the late nineteenth century also widened women’s participation, by affording them elected positions as Poor Law guardians and members of urban and district councils. Jenny Wyse-Power, for example, a prominent nationalist activist, who continued to argue for equality for women after Ireland gained independence, was one of the first women to be elected on to a board of Poor Law guardians in Cork, where she served between 1903 and 1911.

In overall terms, the range of activity and organisations of women fighting for equality and the improvement of social conditions in Ireland at this time (including the Irish Women’s Workers Union and United Irishwomen) combined with the contribution of women (such as Cumann na mBan – the ‘League of Women’) to the nationalist agenda, seemed promising in terms of the possibility of social reform once Ireland gained independence. Within the nationalist movement the promise of equality in
the 1916 Proclamation, and the principles included in the Democratic Programme adopted by Sinn Féin at the first session of the Revolutionary National Assembly or Dáil Éireann in January 1919, provided some grounds for optimism. For example, the democratic programme promised the abolition of the Poor Law and placed a strong emphasis on redistribution and equality. (See Chapter 6 for more on the Democratic Programme).

Finally, and specifically with regard to gender equality, the activism of women’s groups in Ireland during the early twentieth century provided further grounds for optimism about the capacity for change. The hard-fought success of the suffrage movement in securing the right to vote for women in the form of the Representation of People Act, 1918, served as a concrete example of what was possible. Despite the age restriction contained in the Act (only women over 30 were entitled to vote initially), a small group of Irish feminists continued to highlight wider impediments to equality:

We want equal pay for equal work, equal marriage laws, the abolition of legal disabilities, the right of women to enter the hitherto banned learned professions, women jurors and justices, in short, the complete abolition of various taboos and barriers – social, economic and political – that still impede women’s progress and consequently that of the race. (Editorial from the *Irish Citizen*, 1919 cited in Cullen Owens, 1984, p. 132)

However, these aspirations were all but ignored in Ireland in the years that followed. The equality demands of women in early twentieth-century Ireland were given some short-lived credence but ultimately did not result in change. This change was to take the better part of the century to achieve and forms part of a more complex story about the development of social policy which is continued in the next two chapters.

**CHAPTER SUMMARY**

- This chapter provided an account of the emergence and development of welfare measures in Ireland since the seventeenth to the early twentieth century. The earliest measures were balanced between aid and punishment, and aimed exclusively at the poor. However, the poor were categorised into ‘deserving’ and ‘undeserving’ groups, with aid for the former and punishment for the latter.
- State provision grew during the nineteenth century with the introduction of the Poor Law to Ireland. The network of workhouses established under the Poor Law represented a large-scale effort to
deal with poverty in Ireland; however, the thinking behind the system remained essentially the same as heretofore.

- By the late nineteenth and early twentieth century, other factors became significant in the development of welfare. One was the growth of the Catholic Church as a charitable provider of welfare, but the impulse to categorise and control was something it shared with existing state provision. Another strand, which we would recognise today as the roots of modern social policy, is the shift away from workhouse provision towards cash payments in the form of pensions and national insurance.

- However, the development of social policy is not a simple story of linear progress, where each new phase succeeds in eradicating the influences of a less developed past. The history of social policy, from the past to the present, can be marked as much by repetition and regression as by progression, as different strands and influences have varying weight over time, depending on the wider political, economic and cultural context.

Discussion points

- Think about your local area in terms of early social interventions. Trace the origins of county hospitals, schools, voluntary associations, etc., and locate their development in the wider history of social policy.

- Examine the differences between the Whately Commission and Nicholl’s proposal for a Poor Law for Ireland in terms of solutions to the problem of poverty.

- Assess the importance of the social policy measures of the early twentieth century, a) at the time, and, b) in terms of their long-term impact on the Irish welfare state.

Further reading


Notes

1 The Charitable Infirmary in Dublin later became Jervis Street Hospital. The hospital was closed in 1987 and the site was subsequently developed as the Jervis Street shopping centre. The North Charitable Infirmary in Cork remained open until 1988 and has since become a hotel.