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Between 1350 and 1600, poor relief in England moved from a complex array of diverse kinds of assistance towards a more coherent and comprehensive network of support. The first century after the massive outbreak of bubonic plague in 1348–9 was marked by low population and relatively mild problems with poverty, but unstable economic and demographic conditions in the later fifteenth and early sixteenth centuries rendered more people vulnerable to short-term hardship. Throughout those years most aid was awarded only occasionally, typically to individuals struck by some particular misfortune. Between around 1530 and 1553, poverty intensified and the forms of relief changed significantly. Whereas attitudes towards the poor and almsgiving had been shaped by Catholic beliefs during the later medieval years, the new patterns were influenced by humanist or "commonwealth" ideas about the responsibilities of a Christian state and by early Protestant theology. The most important development, initiated by the central government, was the introduction of parish-based aid, financed by regular payments made by wealthier members of the community. During the second half of the sixteenth century, as need continued to mount, local communities and generous individuals experimented with how best to provide assistance. The elderly and chronically poor now qualified for help, sometimes receiving ongoing support. The bad harvests of the later 1580s and 1590s increased the suffering and heightened public concern about poverty, leading to the massive Poor Laws of 1598 and 1601.

This book examines three main forms of poor relief across those centuries: licensed begging by individuals and gathering for charitable institutions; the free housing and sometimes other benefits offered by hospitals and almshouses; and aid given through or by parishes. Other kinds of aid receive only peripheral attention here, including the essential help provided by friends, relatives, and neighbors.[1] Although many people drew upon informal support, it is seldom documented in writing prior to the

[1] For these kinds of aid, see ch. 1.4 below.

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seventeenth century and hence cannot be examined in any detail. The three kinds of semi-institutionalized aid, by contrast, found their way into the records, enabling us to trace their history over time.

I argue that the development of poor relief between the mid fourteenth and the late sixteenth centuries was molded by three main factors: major transitions in the material context, stemming from demographic and economic factors; the changing ideology of poverty and charity; and altered patterns of government, primarily the increasing legislative activity of Parliament, the initiative and energy of the royal Privy Council, the new authority of county Justices of the Peace (JPs), and the expanding roles of parishes in their secular capacity. My account emphasizes the originality of the statutes formulated at a national level and the creativity of the practices tried out at local levels during the middle and later sixteenth century. It highlights also the importance for poor people of access to predictable assistance during a period of need and in some cases to ongoing relief, through admittance to a residential institution or parish support.

This book offers a different analytical perspective from the many fine studies of late medieval and early modern poor relief written during the past century.[2] The pioneer scholars of English poor relief focused on the Poor Laws of 1598 and 1601.[3] Their interest in earlier developments rarely extended beyond the kinds of assistance found in sixteenth-century cities and the role of Parliament and the Privy Council in devising and enforcing policy. The legislation of 1598 and 1601 was presented as significant in two respects: it contained some unusual features, principally its use of the parish as the basic institution for administering aid and its reliance upon local taxes to pay for the needy; and it ushered in a new era of parish-based relief that continued – with some adjustment during the 1660s and the 1790s – until 1834. That era became known as "the Old Poor Law."

I show that the 1598 and 1601 laws did not create a new system of poor relief. With regard to parish aid, they offered corrections to certain features of the foundational statute of 1552, as modified slightly in 1563. If one wished to assign a birth date to the Old Poor Law's system of parish-based relief, the mid sixteenth century would be a better choice than 1598 and 1601. The late Elizabethan legislation also recognized that authorized begging and gathering were crippled by irremediable problems, and it

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[2] For the historiography of this full span, see McIntosh, "Local Responses"; for the medieval period see also Horden, "Small Beer?" and Fideler, *Social Welfare*, chs. 1–2; for the sixteenth century, see also Fideler, "Introduction."

[3] E.g., Leonard, *Early History*, and Webb and Webb, *English Poor Law History, Part I*.

improved the functioning of residential institutions for the poor. The statutes created a more secure legal status for charitable activities and a new legal process through which proper performance of their functions could be demanded. The 1598 and 1601 laws thus enhanced the loosely connected network of relief that was already in operation in many parts of the country. That pattern, which has been described for a later period as "the mixed economy of welfare," combined parish-based assistance, private charities, and informal help.[4] The multiple kinds of potential aid – usually occasional – that had been available prior to the ending of Catholic institutions had thus been narrowed into a somewhat more coherent system.

In the past few decades, historians of poverty have broadened our horizons. We now have some excellent surveys of the early modern period. Paul Slack's *Poverty and Policy in Tudor and Stuart England* provides a concise and thoughtful overview that includes discussion of the legislation that preceded the late Elizabethan poor laws; the earlier sections of Steve Hindle's *On the Parish?: The Micro-Politics of Poor Relief in Rural England, c. 1550–1750* integrate political, economic, and social factors in investigating responses to poverty.[5] Other scholars have examined the lives and agency of the poor themselves, in rural as well as urban settings, at various times between the later sixteenth and the eighteenth centuries.[6] Medievalists have mined their own documents to see what can be extracted about needy people and aid to them, and we have several preliminary accounts of broader patterns of assistance.[7] Certain kinds of informal support have been described as fully as the sources permit.[8]

By the early twenty-first century, the pendulum of historical assessment concerning the relation between medieval and Elizabethan patterns had swung to the opposite extreme. Whereas the period before 1530 had previously been largely ignored, some medievalists now claimed that aspects of poor relief considered distinctive by early modernists were in place by the fourteenth or fifteenth centuries. Late medieval villages, they

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[4] Innes, "'Mixed Economy'."
[5] Certain aspects of Slack's study were expanded later in his *From Reformation to Improvement*. Fideler's *Social Welfare* is unusual in discussing sub-periods between 1350 and 1610 as well as later ones.
[6] E.g., Hitchcock et al., eds., *Chronicling Poverty*, Schen, *Charity*, Botelho, *Old Age*, Hitchcock, *Down and Out*, Ottaway, *Decline of Life*, Ben-Amos, *Culture of Giving*, and Snell, *Parish and Belonging*.
[7] E.g., Rubin, *Charity and Community*, Cullum, "And Hir Name was Charite," Cullum and Goldberg, "Charitable Provision," and Clark, "Charitable Bequests." For valuable surveys, see Dyer, *Standards of Living*, ch. 9, and Horden, "Small Beer?"
[8] E.g., Clark, "Social Welfare," and Ben-Amos, "Gifts and Favors" and her *Culture of Giving*.

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proposed, were already doing much of what had been seen as novel about
Tudor legislation and local practice, including a linkage between taxation
and assistance to the poor, use of a special box in the church to collect
donations, and the particular techniques used to raise funds for parish-
ioners who needed help.[9]

   The evidence presented in this book shows that although many forms of
aid were indeed present during the later medieval years, the range and
predictability of institutionalized assistance were limited as compared to
what began to develop during Edward's reign. Over the rest of the six-
teenth century, authorized begging was extended to a wider range of
people, while almshouses and hospitals continued to move towards shel-
tering the elderly poor. Many parishes went beyond the earlier pattern of
handing out a little food or money from bequests or at funerals in favor of
regular collections from their more prosperous members, using the
income to help local people who could not work to support themselves.
Some parishes imposed fixed, obligatory assessments on those who were
able to pay and gave weekly sums to those who needed relief. Late
Elizabethan assistance was different in intensity and scope from what
had been present before around 1530. This chapter introduces some
essential concepts and lays out the three types of aid to be analyzed
below, together with some analytic questions and the sources used.
After summarizing the ideological and practical context within which
poor relief developed, we look briefly at some additional forms of help
that will not be explored fully in this study.

1.1   Poverty, charity, and three forms of relief

Late medieval and early modern English people wrestled with complex
issues concerning poverty and poor relief. What circumstances led to
undeserved need, and how could the various types of poverty be defined?
What forms of aid were available, and how should they be awarded? In
deciding which sorts of poor people warranted assistance, should officials
impose residency requirements or behavioral conditions? How could
relief be structured so as to lessen the possibility of fraud on the part of
those requesting relief and of dishonesty or incompetence on the part of
those administering it? Was helping the poor primarily a religious and
moral obligation, or were there more functional reasons for awarding

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[9] Dyer, "English Medieval Village," esp. 415–16, his *An Age of Transition?*, 240 and 248,
   Smith, "Charity, Self-Interest," esp. 32, Bennett, "Conviviality and Charity," and see ch. 4
   below.

assistance? The way in which these questions were framed and the answers to them were unstable between 1350 and 1600, due to changes in attitudes and the material environment. Ideas and approaches that worked well in one generation might not be useful in the next, as the nature and depth of poverty shifted, as religious, social, and political thought moved in new directions, and as institutions assumed different forms. Leaders of the church and state attempted to develop appropriate conceptual frameworks and national policies, while local officers made their own day-to-day decisions about how to respond. People making policy decisions and administering poor relief in Europe and North America in the twenty-first century struggle with similar problems.

Before investigating how those questions were addressed during the later medieval and Tudor periods, we need to consider who was included within the category of "the poor." The largest subset within that broad and diverse concept consisted of lay people who lacked sufficient resources to provide for themselves, usually because they were unable to work for their own support. Such dependence frequently stemmed from "life-cycle" problems, affecting people only at certain ages or stages. Among them were orphaned babies and young children below the age at which they could be placed as servants or apprentices, widows with youngsters at home, and the infirm elderly. Because most English households were small (containing just a nuclear family and perhaps some young servants, as was characteristic of the northwest European marriage pattern), needy people might not have the option of being taken in by an extended household of their relatives (as was more common in southern Europe). Physically or developmentally disabled people generally qualified for help too, as did those who had been injured or were temporarily or chronically ill. Another kind of poverty consisted of individuals who had previously enjoyed adequate means but had fallen into "accidental need" through some specific misfortune, such as a fire, shipwreck, or being forced to pay ransom after being captured by foreign enemies or pirates. Prior to the Reformation, members of religious orders who had accepted voluntary poverty and begging as a spiritual obligation were also viewed as legitimate recipients of alms, although they will not be discussed here. Poverty had a social component as well. People who faced extreme hardship were often isolated, lacking emotional and economic support from friends or kin.

Other kinds of poverty caused more anxiety. Leaders at all levels agreed that anyone who was physically capable of labor but chose not to do so, preferring to beg or resort to illegal means to make ends meet, should not be helped. Such people were especially worrying when they left home to wander around the country. A series of Parliamentary acts ordered that they be put in the stocks, whipped, or receive other forms of punishment. It

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was not clear, however, how to define people who were able and willing to labor but could not find sufficient work to support their families. Between 1350 and at least the 1460s (in some areas the 1520s), virtually everyone who sought employment could find it. By the later sixteenth century, however, the problem of people who could not obtain work – or enough work to provide for their households – had become far more severe. Although many of them faced real need, they rarely received assistance, because trying to support them all would have added enormously to the cost of relief.

The terminology of aid to the poor likewise needs explanation. The term "charity" grew out of the Latin word *caritas* as used in the Vulgate edition of the Bible to describe Christian love: both the love experienced between humans and God, and the way in which people should relate to their neighbors.[10] Every compassionate act was a reflection of that duality in the Pauline conception of love. Charity on earth could be expressed through kindness, affection, and generosity in one's dealings with others, sometimes termed "good neighborliness." Those meanings underlay the requirement of the late medieval Catholic church and the sixteenth-century Protestant one that people wishing to receive communion must be "in charity" – on good terms – with their fellow parishioners.[11] Gradually, however, "charity" gained the additional and more specific sense of benevolence to the poor.

Almsgiving was an essential form of charity in both Catholic and Protestant belief. The word "alms" derives ultimately from a Greek word meaning mercy or compassion. Alms could be bestowed during one's lifetime and through bequests after death. The medieval Catholic Church instructed testators to divide their movable goods into three parts, leaving one-third as religious or charitable alms to be distributed "for the good of their soul." Pious donations might take diverse forms. Some were expressly religious, such as gifts to one's parish church or members of the religious orders (monks, nuns, and friars), while others served a public function, such as maintaining roads, bridges, and piers. Increasingly, however, alms-giving focused on relief of the poor or assistance to prisoners. Contributions to individuals or institutions were sometimes promoted by indulgences awarded by the Catholic Church that granted spiritual rewards to donors. Uncertainty about what exactly was meant by the word "alms" contributes to the difficulty of tracing the extent to which testators and parishes directed charitable aid specifically towards needy people.

Many poor people who needed assistance solicited alms, obtained a place in a hospital or almshouse, or received help from their parishes.

[10] *OED* for this and "alms," below.   [11] McIntosh, *Controlling Misbehavior*, 188–9.

Charitable alms constituted the earliest and most frequent type of aid to the poor and the institutions that served them. Many thousands of laymen and a smaller number of women moved along England's pathways, roads, and urban streets between 1350 and 1600 to solicit donations. Some people asked for help within their own communities, either privately or in public, while others traveled away from home to request assistance. Another group consisted of people who had been granted licenses to solicit alms due to some special need. Most had experienced a loss through misfortune, while others were students, soldiers, mariners, or pilgrims en route to approved destinations. A final set of alms seekers consisted of the gatherers appointed by hospitals, almshouses, and other charitable projects to collect money on their behalf. Beginning in the 1530s, worry about people who traveled around requesting contributions increased greatly. The nature of their need also covered a wider range, for local Justices of the Peace were henceforth allowed to grant permission to chronically poor people to ask for help outside their own areas. For county initiatives concerning poverty and vagrancy and for large public projects, voluntary alms proved unable to bring in sufficient funds in a timely manner. Elizabeth's government therefore experimented with ways of requiring parishes to contribute, supervised usually by JPs. Fraudulent begging licenses or letters of protection were in common use.

Residential institutions provided long-term benefits for those people fortunate enough to gain a place. Most late medieval and early modern hospitals offered accommodation and simple bedside care for poor people unable to live on their own: because they were bedridden, old, disabled, and/or suffered from a debilitating disease. Almshouses usually served the elderly poor, providing permanent free housing and sometimes food, clothing, fuel, or a weekly cash stipend. During the fifteenth and sixteenth centuries, almshouses were founded far more frequently than hospitals, but generally had fewer residents. Of the institutions included in a database of information I have assembled, about 1,005 hospitals and almshouses that operated sometime between 1350 and 1600, the number in existence rose gradually to a peak of 617 in the 1520s.[12] At that time the institutions probably sheltered around 4,900 to 6,400 people. Across the next three decades, nearly half of those institutions were closed due to royal and Parliamentary policies that dissolved or appropriated resources from the religious bodies that had previously operated them. Although new foundations attempted to fill the gap, only two-thirds as many residential institutions were functioning in the 1560s as in the 1520s. Even in

[12] For the database, see ch. 3.1 below.

the 1590s, the number of houses in the database (slightly under 500) had merely reached the level seen around 1400, providing places for around 3,000 to 5,300 people. Especially in those almshouses founded in the later fifteenth and sixteenth centuries, residents might be required to meet defined religious and behavioral expectations. Whereas many earlier medieval foundations had been operated by monastic houses or were entirely self-governing, with no outside supervision, later institutions were usually placed under the control either of a group of feoffees who managed a landed endowment or of an existing lay-run body such as a town, merchant/craft guild, or parish.[13] Many founders now laid down stringent requirements to ensure careful management of finances and personnel and good external oversight for their houses.

The third type of aid considered here was provided through or by parishes. Although these units, which spanned the entire country, initially filled primarily religious roles – responsible for maintaining the fabric of the church, providing supplies for services, and sometimes hiring auxiliary staff – from the mid sixteenth century onwards they were assigned additional, secular duties by Parliamentary legislation.[14] In those respects they served in effect as arms of the state. Prior to the end of Henry VIII's reign, if churchwardens gave alms to the poor, they were usually handing out gifts or bequests from private donors. During the brief Edwardian period, however, parishes quite suddenly began to assume a far more active role in poor relief. A series of royal injunctions, Parliamentary statutes, and instructions from the new Protestant church ordered parishes to appoint specialized officers (Collectors for the Poor) who were to gather regular payments from those parishioners able to contribute and distribute the income to their less fortunate neighbors. Anyone who refused to help was to be sent to the bishop for correction. An act of 1563 authorized Justices of the Peace to punish people who were unwilling to contribute. The commonly misread statutes of 1572 and 1576 introduced several additional institutions for the poor at the county level, but did not change the parish-based system. To follow the changes over time in the activity of churchwardens and parishes with regard to the poor, I have used accounts from 125 parishes in 32 counties plus the cities of London and York, together with other ecclesiastical and governmental records.[15] Whereas Collectors for the Poor are rarely mentioned in earlier historical studies,

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[13] Feoffees held property on behalf of and for the use of another person, project, or institution, like later trustees.

[14] See ch. 8.1 below.

[15] The regional distribution of the parishes is: north/northwest: 16 = 13%; southwest/west: 34 = 27%; Midlands/east central: 31 = 25%; and East Anglia/the southeast: 44 = 35%.

this study demonstrates that they were appointed in hundreds of parishes in the decades after 1552, moving in some churches towards regular relief for a subset of needy parishioners.

The late Elizabethan Poor Laws are viewed in a new light as we examine how they attempted to resolve the problems that were currently obstructing efficient charitable activity. Individual begging and traditional forms of institutional gathering were deemed so flawed that Parliament abolished them almost entirely while permitting newer forms of collection for large projects to continue. The statutes also simplified the procedures for endowing and incorporating hospitals and almshouses and improved their financial stability. The legislation clarified and offered minor corrections to the statutes of 1552 and 1563 concerning the system of parish-based relief, confirming that wealthier people were required to pay "rates" (local taxes) to assist their legitimately needy neighbors. The statutes also addressed some specific features of the parish approach that had proved unworkable or inadequate, such as re-casting the former Collectors for the Poor as Overseers of the Poor. More generally, the Elizabethan measures tackled several underlying legal weaknesses that had hindered the founding or operation of diverse sorts of projects for the poor. The acts recognized the existence of charitable trusts and defined their scope, replacing the earlier feoffees whose legal standing had been unclear. They created a new process that improved access to the law for people concerned about the malfunctioning of a charitable activity, especially smaller and informal ones. Local Commissions for Charitable Uses, appointed by the Lord Chancellor, were empowered to investigate allegations of wrongdoing by projects intended for the poor or the misuse of their resources by private people. Using cases from 1598 to 1603, we will see how these Commissions operated and why they were so popular.

1.2   Analytic questions and sources

In the course of tracing this history, we will explore a number of broader interpretive questions. Some have been discussed by previous scholars – although I suggest they have often been framed in unhelpful ways – while others open up new avenues of inquiry. One set of issues concerns changes in people's attitudes and responses to the poor. Earlier discussions have frequently been hampered by two implicit but questionable assumptions. The first is that negative ideas about the poor presented in

The distribution by type of community is: city – 11 = 9%; town – 18 = 14%; market center – 36 = 29%; and village – 60 = 48%. For the definition of those categories, see ch. 3, n. 42 below, and CUP Online App. 1, pt. 6.

certain theological or literary texts and the sometimes harsh policies of Parliament reflected widespread fear and hostility that were manifested also in the responses of people on the ground. This study shows that local households and officials made their own decisions about which people to assist and which to punish, quite apart from what the law required. Many poor wanderers, for example, who might have been put into the stocks or whipped in accordance with the statutes about begging and vagrancy, were instead given shelter and a little money and allowed to go on their way.

A second common assumption is that at some time in the past, aid to the poor had been awarded casually, without attention to the particular needs of those being assisted or the reasons for their poverty, whereas in the period studied by that author, donors began to discriminate about which people should be helped. Such a transition has been suggested in the wake of the 1348–9 plague, early in the Protestant era, and among the reformed Protestants known as puritans. Some medievalists have proposed that a new distinction was made after the plague between people who were incapable of labor or had fallen on hard times (who deserved help) and idle beggars or the law-breaking poor.[16] But Barbara Harvey, in her meticulous examination of the extensive charity distributed by Westminster Abbey between 1100 and 1540, found that from a very early date the monks themselves evinced "a preference for systematic arrangements, which they administered with a marked degree of discrimination."[17] Like some other early religious houses, Westminster's monks had converted their charitable obligations away from feeding whichever hungry poor came to their gates to caring for a small group of needy but respectable people on a regular basis. When the monks handed out casual doles to all the poor who attended funerals and commemorative services, they did so not by choice, but rather because lay benefactors and the executors of wills "sought in this way to spread the good work of prayers for their souls as widely as possible."

Influenced by Michel Mollat's work on poverty in medieval France, which described an outpouring of charity during the thirteenth and earlier fourteenth centuries followed by a decline in donations after the plague, Miri Rubin and Christopher Dyer described a similar hardening of attitudes in England.[18] The later fourteenth century was marked by increasing hostility and "a moral panic" with regard to the poor, especially mobile

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[16] Rubin, *Charity and Community*, ch. 3, and Dyer, *Standards of Living*, 238–9.
[17] Harvey, *Living and Dying*, ch. 1, esp. 33, for this and the quotation later in the paragraph.
[18] Mollat, *Les Pauvres*, Rubin, *Charity and Community*, 50–3, and Dyer, *Standards of Living*, ch. 9.