
The New Poor Laws in Scotland, England and Wales: Comparative Perspectives

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Abstract

This article focuses on a seemingly obvious but largely overlooked question in the historiography of British welfare: what are the merits of, and the obstacles to, a serious comparative study of the poor laws in the constituent countries of mainland Britain? It first considers the wider context for such a question in relation to European welfare history, then discusses the broad historiographical trends for each country in relation to two key areas of the welfare debate: how far the intentions of the central Poor Law authorities were reflected in local practice, and the ability of paupers themselves to shape or influence their own experience of relief at the local level. It makes some key observations about the ways in which 'national narratives' of welfare have developed for Scotland, England and Wales in the past, and how these have shaped our view of the relationship between them, and finally suggests avenues for future research.

Introduction

This article is underpinned by a fundamental, but largely unaddressed, question in the context of British welfare history: is it desirable, or even possible, to mount a meaningful comparative study of the experiences of paupers in the constituent nations of mainland Britain given the apparently very different trajectories of welfare policy and practice in each of them under the Old and New Poor Laws? For many historians, the answer to this question would probably be a qualified 'no', on the grounds that the gulf between the civil, legal and religious structures which underpinned or governed welfare in the three nations until the twentieth century are just too wide to be bridged. But, as I hope to demonstrate, the recent historiography from Britain and particularly England suggests quite strongly that if we turn our attention from the overarching structures of welfare and look more closely at policy and practice as it was applied at the local and sub-regional level, common themes emerge in the experience of paupers and poor law officials across the British nations which suggests that such a comparison is more than possible.¹ What follows, then, is a brief review of this historiography and some suggestions for ways forward towards a truly 'British' history of welfare in the nineteenth century. It is intended more as a stimulus to action than a comprehensive discussion of all the issues which could be raised and, given the constraints of space, there is little opportunity to present new empirical research. In the

1 Ireland has been left out of this discussion for two not entirely convincing, but highly pragmatic, reasons: the first is that so short a study cannot possibly cover all the ground available, and the second is that my own research expertise on British welfare is limited to the countries of the mainland.

end, however, it suggests that there is growing evidence that ‘national’ histories of welfare sometimes obscure more than they reveal, and that nowhere is this more true than in mainland Britain.

The most obvious context for a discussion of different welfare experiences in Britain is the recent upsurge of interest in comparative work on *European* welfare history. In particular, Steven King has developed a sophisticated agenda to push forward the comparative study of ‘welfare regimes’ within a European context.² This agenda is itself a response to a strong tendency among welfare historians to ignore the ‘comparative spatial dimensions of European welfare structures’ and to focus instead on national or regional studies where homogeneity or at least a broadly analogous cultural, political and economic experience implies a degree of overlap in terms of the development and application of state-level welfare structures.³ Perhaps the clearest example of this tendency is the ‘north/south divide’ in early-modern welfare historiography, and the often inferred identification of a clear distinction between the responses of Protestant and Catholic regimes following the Reformation and Counter-Reformation (broadly characterised as a move away from older forms of individual alms-giving and towards highly organised, collective responses to poverty in Protestant states).⁴ In his recent work, however, King suggests that the intuitive segmentation of welfare regimes along state, regional, religious or cultural lines has often obscured as much as it has revealed. For example he and John Stewart noted that between the seventeenth and twentieth centuries, ‘however welfare was delivered in either northern or southern European states, two basic characteristics predominated: selectivity and insufficiency’.⁵ On the related matters of settlement and belonging concepts which were integral to the nature and application of welfare practice across early-modern Europe ‘similarity rather than difference is what must drive the future intellectual agenda for research’.⁶

At the heart of King’s agenda for the comparative study of European welfare regimes is a growing recognition that, regardless of the rhetorical intention of supervisory or coordinating bodies, early modern states more often than not lacked the kinds of single, unified or coherent welfare structures which would be necessary for broadly-based comparative studies. Instead, very often (perhaps always) local and intra-regional responses to poverty and misfortune varied considerably, so that ‘instead of seeing welfare “systems” on the European stage, before the late nineteenth century we see thousands of smaller

2 S.A. King, ‘Welfare regimes and welfare regions in Britain and Europe, c. 1750s to 1860s’, *Journal of Modern European History*, 9 (2011), pp. 42–65. See also S.A. King and J. Stewart, ‘Welfare peripheries in modern Europe’, in S.A. King and J. Stewart (eds), *Welfare Peripheries: the Development of Welfare in Nineteenth and Twentieth Century Europe* (Bern, 2007), pp. 9–38; J. Innes, S.A. King and A. Winter, ‘Introduction: settlement and belonging in Europe 1500–1930s: structures, negotiations and experiences’, in S.A. King and A. Winter (eds), *Migration, Settlement and Belonging in Europe, 1500–1930s: Comparative Perspectives* (Oxford, 2013), pp. 1–28.

3 King, ‘Welfare regimes’, pp. 47–9.

4 King, ‘Welfare regimes’, pp. 47–9.

5 King and Stewart, ‘Welfare peripheries’, p. 12.

6 Innes *et al.*, ‘Introduction: settlement and belonging’, p. 9.

welfare republics operating with only limited reference to other communities, and often with radically different policies, structures and expectations'.⁷ This has clear implications for the comparative study of welfare across state, religious and cultural boundaries. It suggests that regimes located at the macro level may well have 'represent[ed] the more or less spatially haphazard accumulation of ... innumerable [local] welfare republics'; and this being the case, it follows that the development of welfare trends across Europe before the twentieth century may be more usefully located by looking beyond states and broad regions, and focussing instead on the 'sub-national level, juxtaposing not France, England or the Netherlands, but different parts of those European states'.⁸

Poor law 'regimes' in Britain

In a British context, the issue of local and intraregional comparability between states and nations poses a challenge to the often implicit assumption that it was differences in the application and experience of the poor laws in Scotland, England and Wales which defined the relationship between them, rather than broad areas of similarity. For example, historians have long pointed to the fact that Scotland's poor laws in the early-modern period developed along quite different lines to those in England despite remarkably similar sixteenth-century roots.⁹ They invariably highlight the fact that the Scottish Old Poor Law relied almost entirely on charitable donations and church fines rather than on a structured and compulsory rating of property; that it was organised locally by the church authorities (the Kirk Sessions) as opposed to civil parish structures; and that the able bodied were explicitly disqualified from receiving aid of any kind. Of course, the differences between the two systems were more nuanced than this outline suggests.¹⁰ But these three key areas of distinction very often form the basis for comparisons between the Scottish Old Poor Law and its English counterpart. In Wales, too, it is the distinctive application of the old regime locally which tends to form the basis for what little work has been done, despite the fact that it shared a statutory framework with England.¹¹ In other words, in existing discussions of the Old Poor Law in both Scotland and Wales there is, I would suggest, a

7 King, 'Welfare regimes', p. 43.

8 King, 'Welfare regimes', p. 45.

9 R. Mitchison, 'The making of the Old Scottish Poor Law', *Past and Present*, 63 (1974), pp. 58–93 (here at pp. 59–60); L. Patriquin, 'Why was there no 'Old Poor Law' in Scotland and Ireland?', *Journal of Peasant Studies*, 33 (2006), pp. 219–47 (here at pp. 222–7); A. Paterson, 'The Poor Law in nineteenth-century Scotland', in D. Fraser (ed.), *The New Poor Law in the Nineteenth Century* (Basingstoke, 1976), pp. 171–93 (here at pp. 172–3).

10 For an overview, see R. Cage, 'The Scottish Poor Law, 1745–1845' (unpublished PhD thesis, University of Glasgow, 1974); R. Mitchison, *The Old Poor Law in Scotland: the Experience of Poverty, 1574–1845* (Edinburgh, 2000). See also Patriquin, 'Why was there no 'Old Poor Law'?'; R. Cage, 'The making of the Old Scottish Poor Law', *Past and Present*, 69 (1975), pp. 113–18; R. Mitchison, 'The making of the Old Scottish Poor Law: a rejoinder', *Past and Present*, 69 (1975), pp. 119–21.

11 Very little work has been done on the Old Poor Law in Wales, aside from some local, largely non-academic studies. For details, see S. King and J. Stewart, 'The history of the poor laws in Wales: under-researched, full of potential', *Archives*, 105 (2001), pp. 134–48.

tendency first and foremost to distinguish them from the situation which prevailed in England, and to point to the ways in which they were distinctive in this respect.

When we move our attention to the New Poor Laws, a very similar trend can be discerned. It is, perhaps, less marked, but this is a function of the fact that very little work has been done on the local application of welfare under the New Poor Law in any of the countries in Britain rather than the result of a change of historiographical tack.¹² So, once again, Scottish historians tend to note the distinctiveness of the New Poor Law in Scotland when compared to that in England, in terms of both the legislative and the administrative context.¹³ For example, in her pioneering study of the Scottish New Poor Law, Audrey Patterson took full account of these differences, from the traditional reluctance to relieve the able-bodied and a general antipathy towards indoor relief, to a continued resistance to local taxation (a ‘poor’s rate’) and the different administrative structures in Scotland after 1845 in particular, the fact that the New Poor Law in Scotland continued to rely on the parish as its local administrative unit, rather than the consolidated union as was the case in England and Wales.¹⁴ More recently Andreas Gestrich and John Stewart explicitly linked historical welfare trends with modern approaches, suggesting that ‘we can see in the attempts to deal with unemployment in the West of Scotland in the late nineteenth century a pre-figuring of contemporary [Scottish] policy approaches and the difficulties associated with them’, and concluding that ‘Scottish distinctiveness is therefore nothing new’.¹⁵ Recent work has also emphasised the differences in the application of the New Poor Law in Wales and England despite the common legal foundations, echoing Keith Snell’s observation that ‘Wales emerges almost as a different welfare country’.¹⁶

Welfare ‘comparability’ in Britain

Yet, in terms of the comparability of the situation in the three countries under the Old and New Poor laws, subtleties are there to be discovered which certainly confuse, if they do not entirely confound, the orthodox historiographical view of dissonance and distinctiveness. For example, having first described the Scottish Old Poor Law’s distinctive development between the sixteenth and the mid-eighteenth centuries, Rosalind Mitchison went on to

12 This is as true for England as it is for Scotland and Wales. S.A. King and J. Stewart, ‘Death in Llantrisant: Henry Williams and the New Poor Law in Wales’, *Rural History*, 15 (2004), pp. 69–87 (here at p. 70); S.A. King, ‘Rights, duties and practice in the transition between the Old and New Poor Laws, 1820s–1860s’, in P. Jones and S.A. King (eds), *Obligation, Entitlement and Dispute Under the English Poor Laws* (Newcastle, 2015), pp. 263–91 (here at pp. 264–5).

13 A. Blaikie, ‘Household mobility in rural Scotland: the impact of the Poor Law after 1845’, *International Review of Scottish Studies*, 27 (2002), pp. 23–41 (here at p. 23).

14 Patterson, ‘Poor Law in nineteenth-century Scotland’, pp. 175–84.

15 A. Gestrich and J. Stewart, ‘Unemployment and poor relief in the West of Scotland, 1870–1900’, in King and Stewart (eds), *Welfare Peripheries*, pp. 125–48 (here at p. 148).

16 M. Evans and P. Jones, ‘“A stubborn, intractable body”: resistance to the workhouse in Wales, 1834–1877’, *Family and Community History*, 17 (2014), pp. 101–17; S.A. King and J. Stewart, ‘Death in Llantrisant’, p. 71; G. Hooker, ‘Llandilofawr Poor Law Union 1836–1886: “the most difficult union in Wales”’ (unpublished PhD thesis, University of Leicester, 2013), pp. 301–2.

demonstrate that the intentions of policy makers and the rhetoric of relief administrators was often at odds with the realities of welfare provision locally. She noted that by the later eighteenth century there were ‘numerous cases’ of parishes prepared to use voluntary, and even compulsory, assessment (albeit temporarily) to cope with particular crises in relief funding.¹⁷ She even recognised that, by this time, despite widespread condemnation of the English practice of relieving the able-bodied poor, in Scotland the word ‘poor’ was still taken to include those ‘laid aside from Work for a little time’.¹⁸ Robert Cage, in his response to Mitchison’s article, went even further, stating that, although it was undoubtedly true that ‘the Scottish Poor Law made no explicit provision for the able-bodied ... relief was in fact forthcoming’.¹⁹ Furthermore, Cage made clear his belief that relief was given to the ‘occasional poor’ including, crucially, the temporarily unemployed not only from public and private charitable funds, but from the coffers of the Kirk Sessions which were, in theory, reserved for the aged and impotent.²⁰ Cage went on to make a further observation about the relationship between the Scottish and English Old Poor Laws which strikes at the heart of the issue of comparability. Noting Mitchison’s further assertion that relief payments to the impotent poor in Scotland were inadequate for subsistence, he observed that ‘in setting up a Scottish-English comparison it seems gratuitous to imply that in England such payments were adequate; one imagines that in England they were usually seen in pretty minimal terms, as in Scotland’.²¹ Not only was the truth of this observation acknowledged by Mitchison herself in her published rejoinder, but it is something which has subsequently been confirmed many times in local studies of relief provision in early-modern England; and it brings to mind Rab Houston’s disquiet over the simplistic characterisation of the Scottish Old Poor Law as merely ‘an underdeveloped version of the English system’.²²

Moving on again to the reformed poor laws in the nineteenth century, there is plenty of evidence to suggest that the distinctiveness of the Scottish and English systems has been, and continues to be, overdrawn. As we have seen, Gestrich and Stewart, in their study of the West of Scotland at the end of the century, were keen to note the ‘Scottishness’ of the system and, in particular, its response to chronic or periodic unemployment. But even they acknowledged that, at times of particular economic stress, ‘[t]here was a constant tension between the central and the local poor law bodies over what exactly was permissible in law’, and that, as a result, ‘collusion with bodies such as unemployment relief funds was one way of circumventing what the Board of Supervision sought to impose’.²³ In other words, they conceded that, because ‘the Scottish central authority was weaker and could ... fulminate,

17 Mitchison, ‘Making of the Old Scottish Poor Law’, pp. 90–1.

18 Mitchison, ‘Making of the Old Scottish Poor Law’, p. 90.

19 Cage, ‘Making of the Old Scottish Poor Law’, pp. 114–15.

20 Cage, ‘Making of the Old Scottish Poor Law’, pp. 114–15.

21 Cage, ‘Making of the Old Scottish Poor Law’, p. 115.

22 Mitchison ‘Making of the Old Scottish Poor Law: a rejoinder’, p. 121; R.A. Houston, ‘Review of S. Hindle, *On the Parish? The Micro Politics of Poor Relief in Rural England, c.1550–1750* (Oxford, 2004)’, *Scottish Historical Review*, 85 (2006), pp. 351–3 (here at p. 351).

23 Gestrich and Stewart, ‘Unemployment and poor relief’, p. 147.

but not always compel', some of the larger administrative bodies in Scotland's most populous and industrialised areas were clearly able to undermine and, at times, even ignore what was supposedly one of the defining characteristics of Scottish relief policy: an absolute prohibition on relieving the able-bodied poor.²⁴ Given that this was taking place at precisely the time when the architects of the English New Poor law were also turning their faces against the able-bodied (in principle, at least) with the application of the workhouse test and greater stringency in outdoor relief, there does seem to have been a degree of convergence in practice, in certain places and at certain times, between the two countries. In what appears to be a further convergence of practice and ethos, Gestrich and Stewart noted that the final three decades of the nineteenth century saw 'a clampdown on pauperism in the West of Scotland through such mechanisms as the test and visitation'.²⁵ Even though they concluded that the consequent decrease in the number of paupers relieved was 'much sharper than that experienced in England and Wales', the overall trajectory of relief policy they described during this period will be immediately recognisable to anyone familiar with Elizabeth Hurren's work on the Crusade against Outdoor Relief south of the border from the 1870s onwards.²⁶

In Wales, however, the situation under the New Poor Law does appear to have been quite different. The limited work done so far suggests that it really was distinctively applied in the principality, and that the sentiment that underlay those distinctions marks it out from both England (with whom it shared its statutory foundations) and Scotland. In particular, there seems to have been a fundamental resistance in large parts of Wales to the application of the workhouse test, and to the strictures demanded by the legislation of 1834 against the general relief of the able-bodied.²⁷ Overall, the emerging picture of Wales under the New Poor Law is one in which many local officials and boards of guardians ensured as far as possible that there was a high degree of continuity between the old and the new regimes.²⁸ Yet even this picture of apparent 'national' distinctiveness is complex and far from settled. Neil Evans, for example, highlights similarities, both in patterns of urbanisation and in the nature of the agricultural hinterland, in parts of Wales and Scotland which led to broadly similar responses to urban-industrial poverty and may even have influenced similar patterns of rural resistance to institutional relief.²⁹

24 Gestrich and Stewart, 'Unemployment and poor relief', p. 148.

25 Gestrich and Stewart, 'Unemployment and poor relief', p. 138.

26 E.T. Hurren, *Protesting about Pauperism: Poverty, Politics and Poor Relief in Late-Victorian England, 1870–1900* (Woodbridge, 2007).

27 Evans and Jones, 'Stubborn, intractable body'; Hooker, 'Llandilofawr Poor Law Union', pp. 294–5.

28 King and Stewart, 'Death in Llantrisant', p. 71; K.D.M. Snell, *On the Parish: Community and Belonging in England and Wales, 1700–1950* (Cambridge, 2006), p. 230; Hooker, 'Llandilofawr Poor Law Union', pp. 294–6; Evans and Jones, 'A stubborn, intractable body', pp. 101–2 and 114–16; F. Richardson, 'The impact of the New Poor Law on livelihoods of the poor in North Wales' (paper presented at the Local Population Studies Society conference, Durham, November 2016). I am indebted to Dr Richardson for permission to cite her work.

29 N. Evans, 'Urbanisation and social welfare in Wales, Scotland and Ireland', in King and Stewart, *Welfare Peripheries*, pp. 181–206 (here at pp. 202 and 204).

Localism and regionality under the poor laws

What are we to conclude from this mixed picture of change and continuity, distinctiveness and convergence within and between the poor law regimes in Scotland, England and Wales? The first, and most important, lesson to be drawn is that traditional dichotomies based on ‘national’ welfare characteristics almost certainly conceal as much as they reveal. There is little doubt that the predominant narrative in relation to the Scottish New Poor Law that it was much more stringent than that in England and Wales in its attitude to relieving the poor (and, in particular, the able-bodied poor), that there was a tradition of resistance to formal assessment, and that the national supervisory structures were relatively weak has strong historical foundations. Nonetheless, as we slowly acquire a greater understanding of how relief was applied locally and regionally *within* Scotland, it becomes clear that even these stand-out characteristics of welfare sentiment were far from universally or consistently applied in all places and at all times. This was noted in passing by Liz Young as long ago as the mid-1990s, but it took another decade until detailed research began to emerge to confirm her observation.³⁰ As Andrew Blaikie has suggested in his sociological studies of the relationship between the poor and the relieving authorities in the north-east of Scotland, at the local level ‘the apparent rigidity of the Scottish system rather collapsed’.³¹ Echoing Gestrich and Stewart’s observations from the industrial west, he noted that ‘in practice disability and destitution were ‘two very elastic terms’, capable of a great deal of variation across parishes’.³² He went on to emphasise still further that ‘[u]niform strategies across districts were impossible since no consensus existed as to what exactly constituted ‘respectable’ [pauperism], whilst ‘destitution’ was not an absolute requirement and ‘disability’ might be interpreted to include social and economic deprivation’.³³ This, again, is a conclusion which will be very familiar to those engaged in recent debates about the establishment of entitlement and negotiations for relief in England, something which is further explored below.³⁴

According to Blaikie’s analysis, there appears to have been great variation in practice, underpinned by important differences in underlying welfare sentiment, even within the broadly homogenous region of the Scottish North East, let alone within Scotland as a whole. This bears out a point I have made elsewhere with Steven King, that it seems self-evident that a single, unified regime could not possibly respond to the diversity of welfare needs represented by a country of such geographic, economic and cultural diversity as

30 L. Young, ‘Paupers, property and place: a geographical analysis of the English, Irish and Scottish poor laws in the mid-19th century’, *Environment and Planning D*, 12 (1994), pp. 325–40 (here at pp. 333–4 and 336).

31 Blaikie, ‘Household mobility’, p. 24

32 Blaikie, ‘Household mobility’, p. 24.

33 Blaikie, ‘Household mobility’, p. 24.

34 See P. Jones, ‘“I cannot keep my place without being deascent”: pauper letters, parish clothing and pragmatism in the south of England, 1750–1830’, *Rural History*, 20 (2009), pp. 31–49; S.A. King, ‘Negotiation the law of poor relief in England, 1800–1840’, *History*, 96 (2011), pp. 410–35; and especially the contributions to T. Hitchcock, P. King and P. Sharpe (eds), *Chronicling Poverty: the Voices and Strategies of the English Poor, 1640–1840* (Basingstoke, 1997).

Scotland.³⁵ And the key to this diversity of practice and experience across the Scottish welfare landscape is the degree to which officials, paupers and other agents in each region and locality were able to negotiate within the overall framework of welfare policy imposed from the centre. To quote Blaikie again:

As the personal testimonies of applicants have revealed, here and in England, rather than being about social controls imposed 'from above', the relationship between people and the parish was one of negotiation. It is thus appropriate that Poor Law studies address applicants as active agents rather than simply victims.³⁶

In this, Blaikie echoes Rab Houston's call for more regional studies in Scotland *and* England, and his observation that 'a national approach is too blunt: ... local and regional economic, social and political conditions were much more important to the everyday functioning of poor relief'.³⁷

Blaikie's findings also chime well with those made by myself and Steven King in relation to the pauper experience in the far north-west of Scotland. Despite the extreme physical and economic conditions they faced, poor crofters in the parish of Tongue were nonetheless still able to influence negotiations for relief as early as the first years of the Scottish New Poor Law, rather than simply being the passive victims of strict administrative procedure, rigid social relations and extremely limited resources.³⁸ Albeit within a relatively constrained social and economic framework, they used a range of rhetorical strategies to strengthen their requests for relief which would have been immediately recognisable to parish officials as far away as the south of England. As the century wore on, their relationship with inspectors and parish boards became less and less constrained by the traditional social hierarchies of the Highlands, and more familiar to those who have studied pauper-parish-union negotiations south of the border.³⁹ Nonetheless, certain characteristics of the relief regime in Tongue remained resolutely 'Scottish', such as a refusal to relieve the able-bodied poor and the demand that all those who could contribute to their own support by any means possible must do so, no matter how 'deserving' they may be.⁴⁰ On the other hand, in their condition that even the aged and infirm should draw on whatever resources were available to them (whether it be limited work, the assistance of kith and kin, or access to land) the policy of the parochial board in Tongue closely echoed that of rural poor law administrators in parts of North Wales. As Frances Richardson has

35 P. Jones and S.A. King, 'Voices from the far North: pauper letters and the provision of welfare in Sutherland, 1845–1900', *Journal of British Studies*, 55 (2016), pp. 76–98 (here at p. 78).

36 A. Blaikie, 'Nuclear hardship or variant dependency? Households and the Scottish Old Poor Law', *Continuity and Change*, 17 (2002), pp. 253–80 (here at p. 275).

37 Houston, Review of *On the Parish?*, p. 353. Houston's observation is clearly echoed in Young's concluding remarks: see Young, 'Paupers, property and place', p. 337.

38 Jones and King, 'Voices from the far North', pp. 93–4.

39 Jones and King, 'Voices from the far North', pp. 94–8.

40 Jones and King, 'Voices from the far North', pp. 90–2.

noted, rural ratepayers and guardians in Llanrwst Union ‘expected widows and the elderly to continue working for as long as possible, but were prepared to pay low outdoor relief allowances and to increase them as old people became more infirm’.⁴¹ This, and a deep antipathy towards institutional relief for the elderly (the Welsh workhouse and the Scottish poorhouse), imply that there were significant areas of overlap in responses to poverty between typologically similar regions of the British mainland, notwithstanding the broad national narratives noted above.

Of course, it is very difficult to make firm conclusions about inter-regional comparability in the experience and application of the New Poor Laws between Scotland, England and Wales without the benefit of much more focused research. But as we have seen, local studies are beginning to emerge and these do seem to suggest quite strongly that local and regional variation in each country defined the New Poor Law experience as much as it did the Old. Karen Rothery, in a detailed study of four unions in Hertfordshire, ‘found evidence of intra-regional differences that suggest ... diversity began at the local level with disparity between individual unions from the outset’.⁴² A high degree of local variation (in both practice and experience) under the New Poor Law in England is something which once again emerges from Richard Talbot’s study of two contiguous unions in Staffordshire during the period of the Crusade against Outdoor Relief between 1871 and 1901, and suggests that it was not simply the result of the period of ‘transition’ between the old and new regimes.⁴³ In Wales, too, it appears (albeit on very limited evidence) that this pattern of significant variation in local practice was evident. For example, Geoff Hooker’s recent study of Llandilofawr Union makes it clear that such variation is evident even *within* the Union, with one parish paying over twice the level of cash doles than the Union norm. As a result, he concludes that ‘seen from the parish level the variation in payments indicates that a significant degree of local practice continued’ under the New Poor Law.⁴⁴ There is at least indicative evidence in the work of Andrew Blaikie, and that of myself and Steven King, to suggest that the situation was not dissimilar under the New Poor Law in Scotland, and to support the instinctive conclusion that the great regional, cultural and economic differences within Scotland must have led to very different local poor law experiences.

Finally, the strong suggestion that inter- and intra-regional variability of both practice and experience was a common feature of the New Poor Law in all of the nations on the British mainland also implies that there is great untapped potential for the so-far neglected study of local negotiation and the establishment of entitlement for relief in these two countries. Negotiation for welfare resources at the local level has for some time been the focus of a great deal of research, particularly into the Old Poor Law in England, but also

41 Richardson, ‘The impact of the New Poor Law’, p. 7.

42 K. Rothery, ‘The implementation and administration of the New Poor Law in Hertfordshire, c. 1830–1847’ (unpublished PhD thesis, University of Hertfordshire, 2016), p. 315.

43 R. Talbot, ‘North-south divide of the poor in the Staffordshire Potteries, 1871–1901 (unpublished PhD thesis, University of Leicester, 2017).

44 Hooker, ‘Llandilofawr Poor Law Union’, p. 296.

into various aspects of relief and in the context of the twin issues of settlement and 'belonging' across the European welfare landscape.⁴⁵ It has encouraged a focus on the intimacies of the local 'relief relationship' (between paupers and local relieving officers) rather than simply on the legislative and structural conditions of relief, and has also provided a framework for the extensive use and understanding of narratives of negotiation such as pauper letters and petitions.⁴⁶ These are aspects of the history of welfare which have been neglected in Scotland and, to a lesser extent, Wales. In 2002, Blaikie noted that '[s]tudies of the Poor Law in Scotland have tended to be general', so that, for example, 'although Mitchison tells us a great deal about the absence of fit between what the Old Poor Law aimed to do and what actually happened in the parishes, individual paupers are only encountered as illustrations'.⁴⁷ His own work demonstrates that 'the baggage brought to each encounter [by paupers and poor law officials] was economic, social and cultural as well as political' under the New Poor Law, and this is something which is implicit in the work of Steven King and myself on Tongue.⁴⁸ But these are stand-alone studies, and clearly far more work needs to be done on these aspects of the relief relationship in both Scotland and Wales, not least to test Blaikie's assertion that, in Scotland and Wales as much as in England, 'the workings of the Poor Law at local level consist[ed] of adherence to and departures from a national system of welfare designed to ration dependency to the disabled and destitute'.⁴⁹

Conclusion

In the introduction, it was suggested that overarching 'national' welfare studies run the risk of concealing as much as they reveal in terms of the actual experience of paupers and local officials. On the evidence of the work surveyed in this article, this certainly seems to be the case, and it appears to have led to another, even more fundamental issue in terms of the history of the British poor laws: that significant variation in practice at the national level was matched by as-yet unrecognised similarities in practice and experience stretching beyond national boundaries. This being the case, there is a clear and urgent need for much more local work to be undertaken in each of the constituent nations of mainland Britain

45 See, for example, the contributions to Jones and King, *Obligation, Entitlement and Dispute*, and King and Winter, *Migration, Settlement and Belonging*.

46 For a recent bibliography relating to pauper letters and petitions for relief, see P. Jones, 'Widows, work and wantonness: pauper letters and the boundaries of entitlement under the Old Poor Law', in Jones and King, *Obligation, Entitlement and Dispute*, pp. 139–67 (the bibliography is on p. 141).

47 Blaikie, 'Household mobility', p. 23.

48 A. Blaikie, 'Accounting for poverty: conflicting constructions of family survival in Scotland, 1855–1925', *Journal of Historical Sociology*, 18 (2005), p. 220; Jones and King, 'Voices from the far North'.

49 On negotiation in pauper letters and petitions, see especially: P. Jones and S.A. King, 'From petition to pauper letter: the development of an epistolary form', in Jones and King, *Obligation, Entitlement and Dispute*, pp. 53–77; Jones, 'Widows, work and wantonness'; S.A. King and P. Jones, 'Testifying for the poor: epistolary advocates and the negotiation of parochial relief in England, 1800–1834', *Journal of Social History*, 49 (2015), pp. 1–24; King, 'Negotiation the law of poor relief'; T. Sokoll, 'Writing for relief: rhetoric in English pauper letters, 1800–1834', in A. Gestrich, S.A. King and L. Raphael (eds), *Being Poor in Modern Europe: Historical Perspectives, 1800–1940* (Bern, 2006), pp. 91–110.

The New Poor Laws in Scotland, England and Wales

before we can fully test the twin propositions discussed above: that local variation in both relief practice and the pauper experience was a (if not *the*) defining feature of the New Poor Law in all of Britain's mainland nations; and that negotiations between paupers and parish officials over scarce welfare resources were fundamental in shaping both the practice and the experience of relief across the whole of Britain, not just in England. If we accept the likely truth of these propositions, then it is also reasonable to assume that similarities in the way that the New Poor Laws were applied and experienced in parts of Scotland, England and Wales may well have been as important as the great national 'narratives' of difference and divergence. Certainly, there is no shortage of qualitative and quantitative, official and unofficial, structural and anecdotal sources for local studies of the New Poor Law in either Scotland, England or Wales; in fact, quite the opposite is the case. Nonetheless, the enormous untapped potential for a comparative 'British' history of nineteenth-century welfare continues to lie largely dormant in record offices up and down the British Isles, simply waiting for historians to engage with it.