

Crossman, V

Facts notorious to the whole country: the political battle over Irish poor law reform in the 1860s.

Crossman, V (2010) Facts notorious to the whole country: the political battle over Irish poor law reform in the 1860s. *Transactions of the Royal Historical Society*, 20 (). pp. 157– 69.

Doi: 10.1017/S0080440110000101

This version is available: <http://radar.brookes.ac.uk/radar/items/4ef8596e-cd1b-ab3c-8f3c-65412c218561/1/>

Available in the RADAR: May 2011

Copyright © and Moral Rights are retained by the author(s) and/ or other copyright owners. A copy can be downloaded for personal non-commercial research or study, without prior permission or charge. This item cannot be reproduced or quoted extensively from without first obtaining permission in writing from the copyright holder(s). The content must not be changed in any way or sold commercially in any format or medium without the formal permission of the copyright holders.

This document is the postprint of the journal article. Some differences between the published version and this version may remain and you are advised to consult the published version if you wish to cite from it.

‘FACTS NOTORIOUS TO THE WHOLE COUNTRY’: THE POLITICAL BATTLE OVER IRISH POOR LAW REFORM IN THE 1860s¹

By Virginia Crossman

READ 26 JUNE 2009 AT THE QUEEN’S UNIVERSITY BELFAST

In contrast to the history of the New English Poor Law which was, until recently, largely understood as a story of progressive improvement,² Irish poor law history has generally been seen as regressive with the manifest failure of the system during the years of the Great Famine (1845-50) representing its lowest point. This perception has its roots in the belief that, as an importation from England, the system was fundamentally unsuited to Ireland. Irish popular culture, it was claimed in 1892, was antipathetic to institutional relief and favoured almsgiving.³ More recently, Gerard O’Brien has speculated that cultural acceptance of begging encouraged the poor to regard themselves as entitled to outdoor relief and thus to reject the workhouse.⁴ The extent to which Irish people rejected the workhouse has however been called into question. In his study of the parish in England and Wales, Keith Snell argues that it would have been impossible for the other parts of the United Kingdom to move to an indoor system of poor relief such as that which existed in Ireland because public opinion would have revolted.⁵ But whilst it is true that the Irish poor law system was more limited than its English equivalent, a fact indicative both of the way Ireland was governed and of what Irish society was prepared to tolerate, it would be wrong to assume that the system operated unchallenged. The 1860s saw a prolonged and vigorous public debate in Ireland over the nature and purpose of the poor law. Critics of the system made a concerted attempt to introduce reforms that would have fundamentally changed the character of the Irish poor law, making it more like the English system. Whilst these attempts failed, the conduct and content of the

debate reveals both deep divisions over the principles of poor relief and widespread dissatisfaction with the poor law system particularly within the Catholic community.

The 1860s remain a neglected period in Irish history. Writing in 1965, E.R. Norman noted that this was generally seen as ‘an uneventful decade’, disturbed only by the Fenian uprising of 1867 and ‘characterized by the weariness of Irishmen and their despair of securing any worthwhile concessions from the Government by legal means’. This, he argued convincingly, was a false impression that ignored other expressions of political activity, most importantly ‘the agitation of the Catholic hierarchy and priesthood’ led by Archbishop (later Cardinal) Paul Cullen.⁶ Appointed archbishop of Armagh in 1849 and subsequently of Dublin in 1852, Cullen was determined to reform and discipline the Catholic Church in Ireland whilst also promoting a role for the Catholic middle class in the government and administration of the country. A meritocrat and moderniser, he sought to wean the Catholic lower classes away from Fenianism by demonstrating the ability of constitutional nationalism to achieve practical reforms. To this end he was prepared to engage with government seeking to influence legislation and to get Catholics appointed to official positions. Fearful of the spread of radical political ideas throughout Europe, Cullen was convinced that a healthy (and devout) body politic offered the best defence against revolution. In Ireland, he saw the social fabric being destroyed by poverty and disease. By failing to make adequate provision for the poor successive governments had demonstrated a lack of humanity and statesmanship: ‘The government that leaves the poor here without protection’, he was to predict in 1864, ‘will some day or other suffer for its neglect’.⁷ Cullen regarded poor law reform as the most

pressing political issue of the day. As he explained to a colleague in 1861, ‘I think it is of the utmost importance that we should make an effort to get the present [poor law] system corrected. Perhaps no more important question was mooted for the last thirty years’.⁸

Introduced in 1838 and modelled on the New English Poor Law, the Irish poor law constituted the primary source of poor relief for almost a century.⁹ In the early years of the system, relief was only available within the workhouse. Under the threat of mass starvation the system was extended in 1847 to allow poor law boards to grant outdoor relief to the sick and disabled, and to widows with two or more legitimate children.¹⁰ Outdoor relief could only be granted to the able-bodied if the workhouse was full or a site of infection. As Ireland began to recover from the Famine, and numbers receiving poor relief fell back to pre-Famine levels, public attention began to focus on the management, effectiveness and cost of the poor law system. Critics highlighted both the appalling conditions in many workhouses and the relatively low levels of relief provided. In an influential pamphlet published in 1859, Denis Phelan, a former assistant poor law commissioner and one of the few Catholics to have been appointed to the poor law commission, demonstrated that the level of provision in Ireland was far lower than that in England and Wales, or Scotland, concluding that relief as then administered in Ireland was insufficient. Phelan called for fundamental reform and the introduction of ‘a mixed system of workhouse and outdoor relief similar to that practiced in England’, where outdoor relief was ‘the general rule, indoor the exception’, arguing that this system was generally approved of as being ‘humane, politic and economical’. Making the poor law more humane, he argued, would reduce political discontent by persuading working

people that that they lived in a country where ‘in age, infirmity, and disease, they are assisted’.¹¹ Sending a copy of the pamphlet to the under secretary at Dublin Castle, Thomas Larcom, Phelan informed him that it was written ‘under a strong conviction that poor relief is defective in this country and that the subject requires to be reconsidered’.¹²

Phelan’s pamphlet received a generally favourable and universally respectful reception in the press. Given his extensive practical experience, commentators argued, Phelan’s views had to be taken seriously.¹³ In an effort to neutralise the impact of the pamphlet, Phelan’s former employers, the poor law commissioners, sent an annotated version containing a point by point refutation of his arguments to every poor law union in the country. Whilst acknowledging Phelan’s expertise, Benjamin Banks, chief clerk to the commission, rejected his conclusions noting that he did not appear, ‘to have derived from his poor law experience, however extensive, any notion of the nature or value of New Poor Law principles’. Banks maintained that contrary to Phelan’s assertion, poor relief was sufficient and was applied ‘directly and exclusively to its object’. Since indoor relief could be granted in almost all cases of application without danger to property or encouragement to indolence or vice, such relief was rarely refused. The availability of indoor relief gave people who would otherwise waste time and energy importuning guardians for out-door allowances, the ‘courage to struggle successfully against adversity’. Who should get relief, Banks suggested, was a question best left to the applicants themselves rather than placed at the discretion of administrators. The problem with any extended system of outdoor relief, was that ‘a great part of it goes to those who do not most need it; by force either of impunity, imposture or interest’.¹⁴

By the summer of 1860, pressure for reform of the poor law was mounting. Scandals concerning conditions in the Cork and Dublin workhouses had focused public attention on the workhouse system and generated public concern,¹⁵ and there was growing dissatisfaction with what was seen as the unrepresentative nature of the Irish poor law commission whose upper ranks were dominated by Protestant Englishmen.¹⁶ Furthermore with the poor law commission's five-year term up for renewal, some measure of legislation was essential. Ministers were open to the idea of incorporating additional provisions into the renewal act, encouraged by the poor law commissioners who were anxious to see certain changes introduced. They had been arguing for some years that treatment in workhouse hospitals should be extended beyond the destitute, and that provision should be made for the boarding out of infants.¹⁷ They were, however, determined to resist more radical reforms.

Reporting on the prospects for reform in June 1860, Cullen's representative in London, Canon John P. Farrell, was optimistic.¹⁸ However, when Farrell attended a meeting between a number of Irish MPs, the Irish chief secretary, Edward Cardwell, and the chief poor law commissioner, Alfred Power, to discuss the framing of a poor law bill he discovered that the manifest failings of the poor law system were far from manifest to the poor law commissioners. Having outlined what he believed to be 'the two great evils of the Dublin Workhouses, the mortality amongst the young and the immorality amongst the females', Farrell had explained that the Catholic clergy believed the remedy to lie in 'outdoor support for the young of both sexes and for the females at least up to sixteen

years'. Power's response was uncompromising, and to Farrell deeply shocking. For 'barefaced mendacity', he reported, Power's reply 'exceeded anything we ever heard of - he said the plan proposed would not do, could not work and he denied its necessity' insisting that workhouse children were as healthy and moral as any other children. It was impossible, Farrell complained later, 'to deal with a man who will deny, obstinately deny, facts that are notorious to the whole country'.¹⁹

Forced to abandon the poor law bill in the face of procedural objections, Cardwell sought to appease the reform lobby by agreeing to the appointment of a select committee to investigate the administration of the poor law.²⁰ Having been infuriated by Power's refusal to accept there was anything amiss with the existing system, reformers were determined to expose its failings and thus to prove him wrong. To this end they set about collecting evidence and preparing witnesses. Cullen circulated a questionnaire on poor law administration to workhouse chaplains in his diocese and wrote to a number of his colleagues requesting that they do the same. As he explained to William Keane, Bishop of Cloyne, the questionnaire 'would serve to point out some of the matters that ought to be examined. If your Lordship would think it worth your while to get the questions answered by the chaplains, some useful information might be gleaned'.²¹ Cullen was anxious to make a strong showing before the committee. It was important, he argued, 'to get some person of weight to state our grievances. If the system be not now corrected, it will destroy the poor'.²² He offered himself as a witness and urged his colleagues to give evidence. 'If the bishops go over', he observed to Keane, 'it will show that we are in earnest'.²³

In the event, Cullen was the only member of the Catholic hierarchy to appear before the select committee. Drawing on the information he had gathered, Cullen presented a powerful call for a more humane and compassionate approach to poor relief. Poverty, he observed, was not a crime yet convicts received a better diet in a common prison than workhouse inmates received. When reminded of the principle of less eligibility, he observed that the poor were ‘creatures of God’ and as such should be treated, ‘as we would wish ourselves to be treated; and I would treat them in that way, let it cost what it might to the rate-payers’. He rejected the suggestion that an outdoor relief system would be liable to abuse, commenting that he thought there was ‘no great inclination to take relief’. Indeed he thought, if anything, people were ‘rather too proud in that respect’. The respectable poor, Cullen maintained deserved to be treated with humanity, and in ways that would preserve their self-respect. But he had little sympathy for the undeserving poor. Poverty in itself, he told the committee, ‘is most honourable... but when poverty is brought on by profligate courses, that is another case’.²⁴

Cullen argued for a more discretionary system of poor relief combining specialist institutional care organised on a denominational basis, and outdoor relief. The classes he envisaged being supported outside the workhouse but within institutions included the deaf, dumb and blind, and lunatics, as well as prostitutes who were to be sent to reformatories. The respectable, deserving poor could be given outdoor relief, but anyone who had led ‘a reckless profligate life’ should be excluded, as should anyone who was able but unwilling to work, such as ‘vagrants and sturdy beggars’. Out-door relief should

only be given in cases where ‘giving it would bring about the re-establishment of the person in his situation in life in a short time again, or where a person had led such a life that he was not deserving to be thrust into a workhouse’.²⁵ It was important, Cullen argued, to keep the undeserving or dissolute poor apart from respectable, decent people. For if the respectable poor were innately moral and thus could be trusted not to abuse the system the non-respectable represented not merely a bad example but a direct threat to society. Unlike the poor law commissioners who presented workhouses as places where people could be trained in good habits and thus restored to society as useful and productive citizens, Cullen held out little hope of redemption. The language Cullen used in referring to the immoral suggests that for him they had forfeited any real claim to humanity. In response to a suggestion that there were opportunities of reformation within the workhouse, he commented that ‘contagion of example’ prevented people from being reformed, adding that the ‘more you increase a mass of filthiness, the more it ferments; it is the same with vice and evils when accumulated together’. Furthermore, he found it difficult to conceive of some people ever fulfilling a useful function either within the workhouse or outside: ‘Take a beggar man out of the streets, and put him to nurse a sick man, how’, he wondered, ‘would he go through his duties?’²⁶

Led by Cullen, the reform lobby made an effective case before the committee. They were however, followed by a succession of witnesses who argued equally forcefully for maintaining the system essentially as it was. These witnesses included poor law guardians, elected and ex officio, and poor law officials, both Catholic and Protestant, including the Catholic master of the North Dublin Union whom Cullen himself had

praised as doing an excellent job. Moreover, the chair of the North Dublin Board of Guardians, Henry MacFarlane, repeatedly cited the Catholic workhouse chaplain as endorsing the North Dublin Board's refusal to grant outdoor relief, undermining reformers' efforts to present the Catholic community as united in their support for an extension of outdoor relief. Farrell admitted that MacFarlane's evidence had been 'most damaging to us – he was at variance with your Grace on every point. His tone and manner were most plausible and apparently free from prejudice'.²⁷

Cullen and his supporters were seeking a comprehensive reform of the poor law system. Changes sought ranged from the extension of outdoor relief and the introduction of boarding out for children up to the age of fifteen, to an improved dietary and the provision of separate accommodation in the workhouse for elderly couples. District schools were proposed for the education of 'the more permanently destitute of the juvenile classes', together with specialist institutions for the physically and mentally disabled and refuges for prostitutes and unmarried mothers. To counter alleged Protestant bias in the administration of the poor law reformers demanded greater representation of Catholics on poor law boards and on the poor law commission as well as increased provision for denominational education and specially designated spaces for Catholic worship.²⁸ In its final report, the select committee rejected calls for radical change concluding that Irish poor law guardians had sufficient powers of affording relief and that no alteration of the poor laws 'in that respect is necessary or desirable'.²⁹ The Committee's recommendations formed the basis of the Poor Law Amendment Act of 1862 which introduced significant albeit limited amendments.³⁰ These included

provision for the boarding out of orphan and deserted children up to age of eight years and the opening of workhouse hospitals to those who were poor but not destitute thus establishing the basis of a comprehensive, free medical service under the poor law both inside and outside the workhouse.³¹ Poor law critics were disappointed at the limited nature of the reforms introduced, but not surprised. Noting ‘the latest victory of foreign legislation above our wants and necessities – above our poverty and suffering’, the Nation concluded that the only hope was ‘national independence’. The Conservative Dublin Evening Mail on the other hand welcomed the frustration of Catholic hopes, dismissing the leaders of the reform lobby as ‘these philanthropic clamourers for greater personal power and political influence’.³²

The select committee hearings presented two opposing views of poor relief and social welfare. The first, propounded by the poor law commissioners and supported by the majority of Irish landowners was based on New Poor Law principles and stressed the need for minimal relief in order to provide an incentive for thrift and industry. The second propounded by the Catholic hierarchy and supported by Irish nationalists and liberal unionists rejected the New Poor Law model as inappropriate for Ireland, and called instead for a more humane but also more discretionary system of relief. Significantly, the proponents of both points of view were convinced not only that their analysis was correct and that what they advocated was in the best interests of Ireland, but also that they enjoyed the support of educated public opinion. Poor Law Commissioner Edward Senior caused outrage in the Catholic press when he airily dismissed criticism of the commission as ‘vulgar clamour’.³³ As the Freeman’s Journal commented in 1862, if

poor law administration was ‘so “satisfactory” why the constant demands of the Irish people for its revision on a sounder and less exclusive basis?’³⁴

But as well as underlining and reinforcing the deep divisions between the pro- and anti-reform lobbies, the select committee also revealed a striking degree of unanimity about some aspects of poor relief. All the witnesses declared themselves strongly opposed to indiscriminate outdoor relief. Indeed, it became apparent that the prejudice against outdoor assistance was so strong that many guardians were unclear what their powers in this respect actually were. Nicholas Mahony, an elected guardian from Cork, was surprised to be told that boards of guardians already had the power to grant outdoor relief to the family of a sick man, stating that he had been unaware of this.³⁵ Critics maintained that outdoor relief was officially discouraged. Cullen claimed that the poor law commissioners had, ‘in every instance... thrown difficulties in the way of giving outdoor relief, so that the guardians, in many places, think they cannot give that relief’.³⁶ The commissioners denied this, but their regular pronouncements on its dangers certainly encouraged many guardians to believe that outdoor relief was not only unwise but illegal.

There was similar unanimity on the desirability of encouraging industry and self-reliance amongst the Irish people. Supporters of the existing poor law argued that it had had a very positive effect in promoting self-reliance, something that, according to John Vandeleur Stewart, chair of the Letterkenny Board of Guardians, ‘was always wanting in the Celtic character. The poor law throws upon everybody a moral responsibility, which tends to cultivate it’.³⁷ Even those advocating reform used the language of self-help. It

was the workhouse that was demoralizing Irish society, they asserted, and outdoor relief that would encourage people to struggle to remain independent. A judicious system of outdoor relief, one Drogheda poor law guardian asserted in 1861, benefited everyone, relieving the ratepayer and helping the poor. Give people a small weekly allowance and they would make an effort to bring themselves through, 'but lock the poor man up in a poor house and he becomes useless to all society, and, losing caste, he becomes broken-hearted, and dies in a short-time'.³⁸

Much of the anxiety provoked by the idea of indiscriminate outdoor relief focused on the possibility of abuse and reflected a deep-seated suspicion of the Catholic peasantry and the Catholic clergy. Writing in the Dublin University Magazine, J.A. Scott warned that any system based on outdoor relief would require discretion to be left with local guardians. From this 'necessarily extensive latitude', he argued,

enormous abuses cannot but spring... Idle and vicious persons would find no difficulty in making good market of their self-inflicted misery. Pious and feeling clergymen, a class proverbially easy to be imposed upon, would use their influence on behalf of questionable claimants, and the rates would be burdened with the support, and, still more seriously, with the parental responsibilities, of worthless individuals.³⁹

That a discretionary system would put more power into local hands and thus potentially into the hands of the Catholic middle class was a significant factor motivating both those agitating for change and those seeking to prevent it. Many Protestants feared that the

Church was using the issue, as it used welfare more widely, to boost its own influence and authority among the people.

Protestant criticism of Cullen's reform campaign reveals a deep suspicion of Catholic involvement in politics. The careful and organised efforts of the reform lobby to collect evidence and find witnesses did not go unnoticed in the Protestant newspaper press. Thus the Packet reported in 1861 that the ultramontane party led by Cullen was 'proving adept at politics'. Cullen, it claimed, wished to upset the poor law system in order to accomplish the endowment of Popery by quasi-philanthropic schemes. To this end, he 'organizes his forces, gets up his case, procures a parliamentary committee, sends over his witnesses, and then, to make the organization complete, convenes his representatives in order that he may browbeat them into compliance with his purposes'. Cullen's ultimate aim, the Packet believed, was to take control of the poor law system. Reporting on a meeting at Cullen's residence to discuss poor law reform in January 1862, the Packet speculated on the outcome of a successful campaign:

Dr Cullen and his clergy, after obtaining the power in the management of the workhouses which is here sought, after making themselves the administrators of a vast and demoralising system of outdoor relief, and after substituting their nominees as poor law guardians for the holders of property and large occupiers, would in point of fact be the poor law system themselves.⁴⁰

Ministers and their officials were equally suspicious of Catholic intentions, arguing both publicly and privately that Catholic critics of the poor law should direct their energies to persuading the people to accept indoor relief. Thus Larcom claimed in 1862 that the real

difficulty in relieving distress in the west lay not with levying rates or providing provisions, but in

inducing the people to enter the workhouse, which certain influential leaders prevent by every means – their object apparently being not the benefit of the suffering poor but the increase of their own power and influence which they suppose would be diminished by the people resorting to legal charity as a lawful right instead of depending upon them for alms.⁴¹

It would be wrong however, to present the issue of poor law reform in narrowly sectarian terms. A desire to counter both the influence of the Catholic Church and Catholic disaffection prompted some Protestants to argue for a more extensive and generous system of poor relief. Only if Britain could be seen to be responsive to the interests and needs of the Irish people, would her administration of the country be either secure or justifiable. The apparent inadequacy of the poor law in the face of recurring distress in the far west in the late 1850s and 1860s was seen by some observers as revealing a fundamental flaw in the system. In a pamphlet published in 1862, William Ansell Day, criticised the Belmullet Board of Guardians for refusing to grant outdoor relief to assist people suffering from temporary distress. The guardians' desire to keep poor rates down was inducing 'a line of action to the pauper, which, to say the least, is harsh and repulsive, and we ask ourselves, whether a system so administered, can adequately meet the requirements of a pauperised community'. Poor law boards, Day argued, should be obliged by law to grant outdoor relief where they could do so legally. Forcing people to rely on charity was putting power into hands of Irish priests. This was a

dangerous course since the peasant then compared ‘the zeal of his priest with the indifference of everyone else’, and, ‘not unnaturally, clothes that church exclusively with the attributes of charity, love and truth’.⁴²

The following year in a vice-presidential address to the Social and Statistical Inquiry Society, John K. Ingram argued for the assimilation of the Irish poor relief system with that in England and Wales. This would benefit Irish agriculture by promoting the consolidation of agricultural holdings. For consolidation to take place, Irish labourers had to be secured against bad seasons as the English labourer was. He needed to be confident that,

if he should be overtaken by calamity, he will be liberally assisted until the crisis has passed away; that his home will not be broken up, and his aged parents, his wife and his children forced to enter the workhouse, but that he and those who depend on him will be relieved at his own dwelling.

If this was not done, Ingram predicted, ‘it will produce general popular discontent and social disorganisation’. Poor law reform could do more to change attitudes to government, Ingram suggested, than ‘what are properly called political reforms’ since social conditions affected the lower classes ‘far more nearly, and come more home to their business and their bosoms’.⁴³ The return of distress in 1867 prompted the political economist and founding member of the Statistical Society, W. Neilson Hancock, to reflect once again on the comparatively low level of relief given in Ireland. In an echo of Phelan’s arguments, Hancock maintained that distress was not being adequately met by the poor law machinery and that the poor law was incapable of meeting ‘any sudden

emergency of temporary character'. There were, Hancock warned, political consequences to this since 'every recurrence of local distress or unfavourable season is seized on by disenchanted parties to show that Irish interests generally are in a state of decay'.⁴⁴ In identifying poor law reform as an essential component of social and economic development in Ireland as well as a crucial safeguard against political disaffection, 'social science' discourse on poverty and welfare as developed by Ingram and Hancock had much in common with Catholic social thought as espoused by Cullen. Despite this common ground however, active co-operation to achieve reform was never a real possibility. As Peter Gray has noted, Cullen's 'overtly politicising agenda' made collaboration between Catholic activists and liberal unionists impractical.⁴⁵

Government officials remained unmoved by critiques of the poor law insisting that adequate relief could be provided if boards of guardians acted promptly and appropriately. Recalling the distress caused by crop failures in 1861-2, Larcom noted with satisfaction that the government's determination to rely on the powers and resources of the poor law had been justified by events: 'The operation of the poor law was seriously obstructed by the efforts to prevent the people availing themselves of the legal charity it afforded. But perseverance succeeded – not one death from destitution was proved to have taken place'.⁴⁶ Power remained equally confident that the system was essentially sound and continued to resist any revision to the provisions regulating outdoor relief. Consulted in 1865 about a proposal to extend outdoor relief to some of the groups eligible to receive it in England, such as widows with one legitimate child or the wives of men serving in the armed forces, he acknowledged that outdoor relief was 'at all times

more readily accepted by the lower classes' who were 'disposed to regard relief in the workhouse as degrading'. This view, he noted, was continually being 'urged on them by authorities who they look up to as not liable to error'. But so long as local rates were charged with the expenditure, Power felt confident that guardians were unlikely to demoralize the poor or oppress the ratepayers by excessive expenditure:

Perhaps the only real danger to be apprehended exists of the possibility of past experience being in time forgotten and that the arguments of those who contend that outdoor relief is not only the most acceptable form of relief to the poor but the most economical also to the ratepayers may some time or other prevail.⁴⁷

If the poor law commissioners appeared to have won the battle over outdoor relief however, their victory was more apparent than real. Throughout the 1860s the level of outdoor relief provided in Ireland climbed slowly but steadily upwards although as a proportion of the total number relieved this remained considerably lower than in England. Attitudes were changing, as Power realised that they might. Fading memories of the Famine had a part to play in this but perhaps more significant was the publicity generated by the select committee. The growing willingness of boards of guardians to utilise the full range of their powers with regard to outdoor relief was most evident in the more prosperous unions in the south-east of the country. These were also the unions in which Catholic guardians were beginning to make their presence felt.⁴⁸

The struggle over poor law reform in this period taught critics of the system a useful lesson. Attempting to alter the law was a mammoth task, altering local practices

was far easier to achieve since the decision-making power lay in the hands of local guardians. As Farrell had observed to Cullen in 1860, changing the law would not necessarily change the way relief was administered. Until Catholics had greater influence within poor law administration, ‘no effective good can be achieved’.⁴⁹ It was not until the 1880s however, that Protestant fears of a take-over of the poor law system were to be realised. And in the event, the campaign was to be spearheaded not by the Catholic Church but by the nationalist movement under the leadership of Charles Stewart Parnell.⁵⁰ Nevertheless, without the public discussion and associated developments that took place in the 1860s, the transformation in both poor law administration and relief practices that took place in the 1880s could not have occurred.

Virginia Crossman

Oxford Brookes University

¹ This article draws on research generated by the ESRC project, ‘Welfare regimes under the Irish poor law 1850-1921’.

² This is best exemplified in S. Webb and B. Webb, English Poor Law History (1927-9). For a more recent example, see Lynn Hollen Lees, The Solidarities of Strangers: the English poor laws and the people, 1700-1948 (Cambridge, 1998).

³ The Irish Peasant: a Sociological Study by a Guardian of the Poor (1892), 69.

⁴ Gerard O’Brien, ‘Workhouse Management in Pre-Famine Ireland’, Proceedings of the Royal Irish Academy, C, 86 (1986), 132-4. See also, Helen Burke, The People and the Poor Law in 19th Century Ireland (Littlehampton, 1987), p. 284.

⁵ K.D.M. Snell, Parish and Belonging: Community, Identity and Welfare in England and Wales 1700-1950 (Cambridge, 2006), 334-5.

⁶ E.R. Norman, The Catholic Church and Irish Politics in the Eighteen Sixties (Dundalk, 1965), 3

⁷ Cullen to McCloskey, 2 Jan. 1864, Archives of the Archdiocese of New York, McCloskey papers, A22. (I am immensely grateful to Colin Barr for providing me with a copy of this and other letters from Cullen's correspondence.)

⁸ Cullen to Keane, 1 Mar. 1861, Cloyne Diocesan Archives (hereafter CDA), Keane papers, 1796.04/21/1861.

⁹ For an overview of the history of the Irish poor law, see Virginia Crossman, The Poor Law in Ireland 1838-1948 (Dundalk, 2006).

¹⁰ 10 Vict., c. 31.

¹¹ Denis Phelan, Reform of the Poor Law System in Ireland; or facts and observations on the inadequacy of the existing system of poor relief (Dublin, 1859), 35-36.

¹² Phelan to Larcom, n.d. (1859), annotated copy of Phelan, Reform of the Poor Law System in Ireland, National Library of Ireland (hereafter NLI), Pamphlets, P475.

¹³ Dublin Evening Post, 13 Aug. 1859, 16 Aug. 1859, 20 Aug. 1859; Packet, 16 Aug. 1859; Daily Express, 26 Aug. 1859, 10 Sept. 1859; Freeman's Journal, 22 Nov. 1859, 21 Dec. 1859.

¹⁴ Annotated copy of Phelan, Reform of the Poor Law System in Ireland.

¹⁵ For Cork see, John Arnott, The Investigation into the Condition of the Children in the Cork Workhouse with an Analysis of the Evidence (Cork, 1859); Colman O Mahony, Cork's Poor Law Palace: Workhouse Life 1838-90 (Cork, 2005), 184-90. For Dublin see,

Anna Clark, 'Wild Workhouse Girls and the Liberal Imperial State in mid-Nineteenth Century Ireland', Journal of Social History, 39 (2005), 389-409.

¹⁶ Memorandum on articles in the Dublin Evening Post relative to the Poor Law Commission (1857-8), NLI, Mayo Papers, MS 11,030. See also, Freeman's Journal, 16 Mar. 1861; Dublin Evening Post, 27 June 1861.

¹⁷ 2nd Annual Report of the Commissioners of the Irish Poor Law on the Medical Charities Act (Dublin, 1854), 242; Banks to Larcom, 12 May 1857: NAI, CSORP, 1860/11908; Banks to Larcom, 23 January 1860: NAI, CSORP, 1860/11907.

¹⁸ Farrell to Cullen, 20 June 1860, Dublin Diocesan Archive (hereafter DDA), Cullen Papers, 333/4/1.

¹⁹ Farrell to Cullen, 22 June, 11 July 1860, *ibid*, 333/4/2, 333/4/10.

²⁰ A number of MPs objected to the principle of introducing substantive new clauses in a continuance bill: Hansard 3, CLX, 149-50 (24 July 1860); CLX, 1032-2 (10 August 1860); CLXI, 861 (22 February 1861).

²¹ Cullen to Keane, 20 March 1861, CDA, Keane Papers, 1796.04/22/1861. For the replies see, Secular clergy, 1861, DDA, Cullen Papers, 340/1/1; Workhouses: Reforms, Elphin Diocesan Archives (hereafter EDA), Bishops, Section III C.

²² Cullen to Keane, 1 Mar. 1861, *ibid.*, 1796.04/21/1861.

²³ Cullen to Monsell, n.d., NLI, Monsell Papers, MS 8317(3); Cullen to Gillooly, 19? Mar. 1861, EDA, Gillooly Papers, NLI Microfilm, P.7622; Cullen to Keane, 20 March 1861, CDA, Keane Papers, 1796.04/22/1861.

²⁴ Report from the select committee appointed to inquire into the administration of the relief of the poor in Ireland..., Parliamentary Papers, 1861 (408), X, Q3997, Q4098.

-
- ²⁵ Ibid., Q4093.
- ²⁶ Ibid., Q4047, Q4039.
- ²⁷ Farrell to Cullen, 11 June 1861, DDA, Cullen Papers, 340/1/1/80.
- ²⁸ ‘Select Committee of the House of Commons upon the Irish Poor Law’, n.d (1861), DDA, Cullen papers, Poor Law, 43/8.
- ²⁹ Report [on] the administration of the relief of the poor in Ireland, 3.
- ³⁰ 25 & 26 Vict., c. 83, s. 9.
- ³¹ Burke, The People and the Poor Law, 252-6; Laurence M. Geary, Medicine and Charity in Ireland 1718-1851 (Dublin, 2004), 206-16.
- ³² Nation, 2 Aug. 1862; Dublin Evening Mail, 19 Mar. 1862.
- ³³ The Nation, 6 July 1861.
- ³⁴ Freeman’s Journal, 26 Mar. 1862.
- ³⁵ Report [on] the administration of the relief of the poor in Ireland, Q2007-9.
- ³⁶ Ibid., Q3993.
- ³⁷ Ibid., Q6172.
- ³⁸ Daily Express, 14 June 1861.
- ³⁹ J.A. Scott, ‘The Irish Poor Law Inquiry’, Dublin University Magazine, 58 (1861), 60-1.
- ⁴⁰ Packet, 24 Jan 1862.
- ⁴¹ Larcom to Sir Robert Peel, 15 July 1862: NLI, Larcom Papers, MS 7785. See also, Lord Naas to the Roman Catholic clergy of the Deanery of Westport, 11 July 1867, NLI, Mayo Papers, MS 11,218 (17).
- ⁴² William Ansell Day, The Famine in the West (Dublin, 1862), p. 40.
- ⁴³ John K. Ingram, Considerations on the State of Ireland (Dublin, 1864), 14-15

⁴⁴ W. Neilson Hancock, Reports on the leading indications of the state of Ireland in August 1867, 4 Oct. 1867, NLI, Mayo Papers, MS 11,221.

⁴⁵ Peter Gray, 'Irish social thought and the relief of poverty, 1847-80'.

⁴⁶ Note by Larcom, n.d., Poor Relief: Relief of Distress 1861-2, NLI, Larcom Papers, MS 7784.

⁴⁷ Power to Larcom, 7 January 1865, *ibid.*, MS 7781.

⁴⁸ A good example is Enniscorthy Union. See Virginia Crossman, 'The poor law in Enniscorthy in the post-Famine period', in Colm Toibin (ed), History of Enniscorthy (forthcoming 2010).

⁴⁹ Farrell to Cullen, 11 Aug. 1860, DDA, Cullen Papers, 333/4/18.

⁵⁰ For an account of this transformation and its impact on poor law administration see, William F. Feingold, The Revolt of the Tenantry: The Transformation of Local Government in Ireland 1872-1886 (Boston, MA, 1984); Virginia Crossman, Politics, pauperism and power in late nineteenth-century Ireland (Manchester, 2006).