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THE ORIGINS OF ENGLISH AGING POLICY:
A RE-EXAMINATION OF THE CYCLICAL THEORY
OF SOCIAL RELIEF

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ABSTRACT

This paper examines the explanatory power of Piven and Cloward's cyclical theory of social relief through an exploration of policies in England from the twelfth through the nineteenth century. While there is evidence of a cyclical trend between restrictive and liberal policies in this period, we find that those shifts cannot consistently be explained by social turmoil. There is also evidence of a long-term trend toward a more restrictive aging policy which is unaccounted for by cyclical theory. This trend can be better explained by a more basic set of ideas underlying cyclical theory, i.e., the needs of a capitalist economic system.

INTRODUCTION

In their classic work, Regulating the Poor, Piven and Cloward (1971) argued that there was a cyclical relationship between government relief policies and social protest.

The central theme of the cyclical theory is that when mass unemployment led to civil disorder, governments were compelled to calm the masses through the provision of relief. Conversely, when rioting, looting and other forms of expressing collective distress subsided, governments cut back on their efforts to relieve poverty. During the latter periods, a shell of the relief system was left for the aged and other "impotents".

Piven and Cloward contend that the degrading manner in which these "impotents" were treated is evidence that the primary function of public welfare in periods of social stability is to encourage those capable of work to shun relief and "... to offer themselves to any employer on any terms" (1971:34). The aged are thus viewed as residual persons in the formulation of relief policy.

The cyclical theory was and is useful in debunking the myth that social welfare efforts are undertaken with solely humanitarian and altruistic intent. Rather, relief efforts are seen as tools of social control. Relief is utilized by elites, as the book title suggests, to regulate the poor in and out of the labor market at wages favorable to owners, while maintaining the public order necessary for the conduct of profitable commerce.

We find the Piven and Cloward thesis compelling. If we look at the trajectory of relief policy in England from the twelfth through the nineteenth century, we see a cyclical pattern. There is clearly movement between more and less restrictive relief policies. However, this model leaves some important evidence unexplained. For example, there was a great deal of civil disorder that directly preceded the Reform of 1834 (de Schweinitz, 1943). However, instead of liberalization, the response was a more restrictive

relief policy. It would seem that for the English case, a policy of repression was preferred to a policy of liberalization.

There is also evidence of a long-term trend from a less restrictive old age relief policy to a more restrictive policy. How do we account for what appears to be an increasingly restrictive and harsh approach to old age relief between the twelfth and the nineteenth century? The trend cannot be explained by a steady decline in social disorder, for disorder rose and fell between the twelfth and nineteenth century. In fact, even if there had been a steady decline in disorder, the Piven and Cloward thesis would not adequately explain a harsher treatment of the aged.

Policy toward the aged is correctly treated as a residual phenomenon by Piven and Cloward. However, their theory cannot adequately predict if a rise in social disorder which leads to liberalization of relief policy toward riotous laborers will include liberalization toward the aged, or to restrictions on the aged in order that more resources be diverted to the troublesome portions of the population. While a strong case can be made for seeing policy toward the aged as a residual phenomenon, cyclical theory needs application and supplementation in order to account for the treatment of the aged.

We believe that a more basic set of ideas underlying the Piven and Cloward thesis can better explain the increasingly restrictive policies toward the aged, i.e., the transition from a feudal to a market economy and the needs of a capitalist economy. In this paper, we shall view the effects of the transition on policy toward the aged by examining five policy periods in English history. They are:

1. Medieval Relief Policy prior to the

- 14th Century.
2. The 14th century Statutes of Laborers.
 3. 16th and 17th century Relief Policy.
 4. 18th century Relief Policy.
 5. Poor Law Reform in the 19th century.

Through this approach, we shall seek an explanation of both the residual effects on the aged of policies directed primarily at other groups as well as an explanation of restrictive policies toward the aged.

MEDIEVAL RELIEF POLICY PRIOR TO THE 14TH CENTURY

As early as the 6th century, the Christian church was actively involved in poor relief through its system of largely rural monasteries (Webb and Webb, 1972). But it is not until 1140 with the codification of Church law in the DECRETUM that we have a thorough statement of medieval church law concerning poor relief (Tierney, 1959). Relief policy did vary from one feudal estate to another, but it was relatively stable from the twelfth through the middle of the fourteenth century.

Church policy toward the poor was virtually the only public policy for this period of more than two hundred years (Cipolla, 1976). Everyone was a member of the Church and potentially eligible for relief. The Crown and feudal lords viewed relief as a Church function. The Church had its own ecclesiastical tax, the tithe, to finance its relief efforts. Based on the DECRETUM medieval canonists argued that the poor had a right to relief and those who were better off had the obligation to provide it (Coll, 1969).

The Church's position was that some were born rich and some were born poor. Poverty

was seen as part of God's design, not as a reflection of personal failure or moral turpitude. The existence of poverty provided an opportunity for the well-off to demonstrate Christian charity.

This morality was not separate from the economic institutions of Medieval Europe. Because medieval serfs were tied to the land, they were economic assets to the feudal lord. He had a clear economic interest in keeping his serfs in good health so that they would be able to work the land. Thus, he could be expected to participate in relief efforts in times of need, often by providing food or money to the parish church for distribution (de Schweinitz, 1943).

Medieval relief policy toward the aged poor was not sharply differentiated from policy toward other dependent categories such as the blind or disabled. Under ordinary circumstances not much was made of the distinction between the infirm elderly poor and the able-bodied poor. In the extended family system of the time such distinctions were impractical under normal circumstances, and further, there was very little involuntary un-employment in the modern sense of the term. However, in the DECRETUM distinctions were made that were to be used when resources for relief were limited. In such situations the "impotent" (infirm) elderly were to be given a higher priority than the able-bodied (Tierney, 1959; Coll, 1969). In the medieval period then, there is evidence that policy toward the aged was less restrictive. This is not to say that being an impoverished aged peasant is a social status that one would aspire to. It does however suggest that those in control of the feudal economy had both a moral and an economic stake in a benevolent stance toward the aged poor.

THE FOURTEENTH CENTURY STATUTES OF LABORERS

During the late Middle Ages, the feudal social order began to disintegrate. By 1350 only fifty percent of the English population were serfs (Coulton, 1925). The rise of towns and the development of an international market for English woolen cloth contributed to the change. So did the shift from sharecropping and feudal services to a system of cash payments (Bennett, 1937). This emergence of a money economy provided a means for serfs to buy their freedom and created job opportunities for those able to escape bondage. In England the breakdown of the feudal order was well on its way by the mid-fourteenth century (Coulton, 1925; Tierney, 1959).

In 1348 the bubonic plague reached England causing a sharp reduction in population which turned out to have some positive consequences for the peasants who survived (de Schweinitz, 1943). The shortage of labor dramatically drove up wages which in turn accelerated the long-term social changes associated with the decline of feudalism that were already in process. It became increasingly easy and attractive to escape bondage for work as an artisan in town or as a free laborer on another estate (Coulton, 1925). Strong economic incentives encouraged laborers to move from one region to another in search of higher paying jobs. Between jobs, many turned to begging. Some joined vagrant bands which led to an increase in thievery and banditry (Coll, 1969).

The response was a major shift in public relief policy coming with the enactment of a series of laws referred to as The Statutes of Laborers between 1349 and 1388 (Nicholls, 1898; Leonard, 1900). These laws were primarily designed to deal with the social disorder caused by a sharp increase in the

movement of labor and marauding bands of beggars. The 1388 statute prohibited begging by the able-bodied. Begging by the infirm elderly, the blind, or disabled was permitted, but only if it were done at their place of current residence.

The Statutes of Laborers were basically repressive measures designed to control the geographic mobility, wage demands, vagrancy, and begging of the peasants. The motive for this first instance of state regulation of begging was in no sense a humanitarian concern for the plight of destitute beggars. The legislation would not have been enacted if most beggars had been disabled, blind, or elderly. The goal was to force the able-bodied to work at "reasonable" wages.

These statutes were not successful in eliminating begging by the able-bodied, but they did help elderly beggars by reducing the competition. The statutes had another serendipitous consequence: children were discouraged from leaving the local area and as a result were more likely to be available to provide help to elderly parents.

The fourteenth century is important in our analysis since it marks the first occasion of state intrusion into relief policy. It is also important in the context of cyclical theory. Here we have an instance of social disorder which is met with repression rather than liberalization of relief policy. How do we reconcile that fact with cyclical theory: which suggests that liberalization follows disorder? If we keep in mind the more basic theme of a transition to a market economy and wage labor, then repression is a logical solution in this instance. The plague created a shortage of laborers. Liberalization would only be useful policy to elites if there were many more laborers than the economy could absorb at low wages.

Just as in earlier periods in English history, the aged escaped the stigmatization of having to beg illegally. There were too few of them to pose any serious threat to the emerging market economy. There was still no need for specific mechanisms of social control of the aged. Simply left to beg on the streets, they served adequate examples of the virtues of toil.

16TH AND 17TH CENTURY POOR LAW

During the fifteenth century, economic conditions were generally favorable for peasants throughout Europe (Coulton, 1925; Braudel, 1967).

The sixteenth century, in contrast, brought a marked deterioration in economic conditions for the laboring class (Oxley, 1974). A number of factors contributed to this change, but of particular importance was increased dependence on a market economy due to the growth of the international market for English woolen cloth and the related trend toward the enclosure of land for sheep herding (Webb and Webb, 1927). The evolving market economy was making the nation increasingly vulnerable to the vicissitudes of international markets and the cyclical trends of capitalist economies. This led to a sharp increase in the number of vagrants and beggars which contributed to an upswing in social disorder, crime, and food riots (Webb and Webb, 1927; Hampson, 1934).

Something had to be done to maintain social order. Cyclical theory would predict a liberalization of relief, but this did not occur. The first attempts were similar to the fourteenth century Statutes of Laborers. Their emphasis was on the suppression of

begging, particularly by the able bodied (Ashley, 1883). The first statute passed, the Poor Law of 1531, called for public whipping of all able-bodied beggars. The "impotent", including the elderly, could apply for permission to beg. The Poor Law of 1536 entirely prohibited begging, even by the infirm elderly. Penalties for begging began with whipping and branding and if deemed necessary included execution (de Schweinitz, 1943).

The Poor Law statutes enacted between 1531 and 1576 were synthesized in the comprehensive statute of 1597. With minor changes this became the Elizabethan Poor Law of 1601, the foundation for English relief policy during the next two hundred years (Leonard, 1900). The Poor Law of 1601 called for a poor tax to generate the revenues needed to provide relief. The poor were divided into three categories: (1) children, (2) the able-bodied, and (3) the impotent. Different policies were suggested for each. The able-bodied were not denied relief so long as they were willing to accept work provided by poor relief officials.

The legislation was enacted in response to continuing food riots, looting and other crimes against property. Begging was prohibited, and able-bodied beggars who refused to work were sent to jail. Relief policy continued to be closely linked to concerns about social control of workers but there was nothing simple and direct about the relationship between riot and relief.

Had all of the poor been infirm, elderly, blind, or disabled, it is likely that their destitution would have gone all but unnoticed. This legislation was designed primarily as a way to control the able-bodied. They were the ones most likely and most able to turn to the violence and destruction that threatened the

interests of property owners. The elderly were included in this legislation, but they were not the focus. Children were required to provide for their elderly parents (Webb and Webb, 1927), and those aged without children were provided for at home or in the alms house (Leonard, 1900). This more liberal legislation was aimed at the creation of the more docile class of laborers required by the developing market economy.

At other times repression served that goal best, as with the Law of Settlement and Removal enacted in 1662 (Henriques, 1979). It was a response to labor mobility and the desire of taxpayers in one area to avoid paying relief for recent migrants from other areas (Webb and Webb, 1927). Public officials were given the right to make recent migrants leave the parish if it seemed likely that they would become public dependents. Such persons were required to return to their parish of legal settlement (de Schweinitz, 1943).

The Law of Settlement and Removal had particularly adverse consequences for older laborers. The older, less productive workers had to search longer and further for employers when the market was tight. They were also viewed as potential dependents and thus were more vulnerable than were younger workers to the provisions of the statute. The most important aspect of this act is that it signals a shift toward a more restrictive policy toward the poor. It is indicative of a generally more punitive policy that characterized the period from the mid-seventeenth century to the late eighteenth century.

One factor contributing to this shift in attitude and policy was the Protestant Reformation. The Puritans and other sects inspired by Calvinistic ideology were becoming popular particularly among merchants, craftsmen, and small land holders (de Beauvoir,

1972). The Calvinist stress on thrift, industry, and sobriety fit well with the entrepreneurial orientation of the growing and increasingly influential middle class (Coll, 1969). The Calvinist conception of predestination was also important as it led to the search for signs that one had been selected for salvation; economic success was taken as one such sign (Weber, 1958). These values led to the practice of blaming the poor for their poverty and blaming the elderly for their improvidence in not having made an effort to accumulate assets to live on during the later years.

18TH CENTURY RELIEF POLICY

In 1722 a statute was passed which required that all recipients move into the workhouse as precondition for relief. Thus all who sought relief, the elderly as well as the able-bodied, were to be subjected to the indignity, stigma, loss of autonomy, regimentation, and social control associated with such institutions. One goal was to make relief so unattractive that only those who were truly needy would apply; another was to provide that relief which was necessary at the minimum possible expense (de Schweinitz, 1943).

These repressive measures would not persist however. The late eighteenth century was a period of mass unemployment, outbreaks of violence, and social disorder. In keeping with cyclical theory, this disruption was followed by liberalization.

In 1782 with the enactment of the Gilbert Act, the Statute of 1722 was neutralized (Rose, 1971). On the surface it appears that social reformers were successful in their efforts to discredit the workhouses. It was

the very high infant mortality rates rather than the often squalid conditions which many of the elderly were subjected to that proved most persuasive to members of Parliament (de Schweinitz, 1943). The poor would no longer be required to enter the workhouse as a precondition for relief. That these reforms were more in the keeping with a goal of quieting the violent masses rather than improving the care of the impotent is evidenced by the fact that the workhouses were not closed. They continued to operate "on behalf" of the aged, sick, infirm, orphan children, or children with their mothers. They were simply off-limits to the able-bodied, who were to be more carefully treated (Webb and Webb, 1927).

Liberalization toward the able-bodied continued when in 1795 Parliament approved a system of wage supplements referred to as the Speenhamland system. The most radical aspect of this new policy is that it did not discourage the able-bodied from seeking relief; to the contrary, it made relief more or less automatic with none of the stigma of the workhouse (Polanyi, 1944).

At first the impact of the Speenhamland system on the elderly poor was positive. It made up the difference between what the worker was able to earn and what was needed for subsistence. Thus older, less productive workers could remain in the labor force longer. But eventually the system severely depressed wages and ceased to adequately make up the difference between wages paid and subsistence (Polanyi, 1944). Older workers were becoming a part of the economic underclass required by the further developed market economy.

POOR LAW REFORM IN THE 19TH CENTURY

The liberalization of relief policy during the late eighteenth century was reversed with the enactment of the Poor Law Reform of 1834 (Rose, 1971). The most important policy change was that able-bodied applicants were once again required to enter the workhouse as a condition for the receipt of relief. The condition of those on relief was no less desirable ("less eligible") than that of the lowest paid laborers not on relief (Webb and Webb, 1910). The goal was to avoid making the workhouse an attractive option for able-bodied laborers working at low wages.

This restrictive shift affected agricultural workers who were often discriminated against. Long before a worker was in any obvious way disabled by the infirmities of old age, he became less productive and thus less attractive to employers than younger workers. These landless older agricultural workers were often forced into beggary of the workhouse. As they were not suffering from the infirmities of extreme old age, for purposes of relief they were classified as able-bodied. Not only these workers, but also their dependents were forced to make a choice between the workhouse and starvation.

This new legislation did not call for any change in Poor Law provisions dealing with the infirm elderly (Webb and Webb, 1910). But it did have the effect of increasing the proportion of the elderly who ended up in the workhouse. One reason was that the legislation was part of a more general shift in the direction of harsher attitudes and policies toward the poor (de Schweinitz, 1943; Polanyi, 1944; Coll, 1969). All categories of the poor including the infirm elderly were more likely to be blamed and held in contempt for being paupers. Local poor relief authorities had a great deal of discretion in the implementation of poor relief policy. This shift in attitude

toward the poor made even the elderly poor vulnerable to these more restrictive policies. In many areas the workhouse became the choice of first rather than last resort not only for the able-bodied, but also for the elderly and other impotent categories (Webb and Webb, 1929).

A major stimulus to the enactment of the 1834 Reform was the rapid increase in poor taxes since the turn of the century (Webb and Webb, 1927; de Schweinitz, 1943). During this same period there was a marked increase in the number of persons on relief, particularly in areas which had implemented the Speenhamland system (Hammond and Hammond, 1910). The conclusion reached by many policy makers (and taxpayers) was that the liberal Speenhamland system was causing pauperization (Coll, 1969). Tax monies could be saved and the able-bodied could be saved from a life of dependency, if only a more restrictive relief policy were implemented. There was considerable social disorder in this period, and this restrictive shift is clearly not accounted for by cyclical theory.

If the elderly were required to move into the workhouse, this would provide a strong incentive to find some alternative means of subsistence. Some would do without, some would turn to their children, and some would find yet other ways to avoid institutionalization. It would also provide an incentive to children both to support their elderly parents and to set aside funds for their own old age (Webb and Webb, 1929). Under these conditions people will work longer hours for less compensation. That is precisely what was required by the owners of the Industrial Revolution.

CONCLUSIONS

Looking at the long-term trend in poor relief policy for England from the twelfth through the nineteenth century, the pattern is clearly cyclical. The most useful theoretical account of this pattern is that proposed by Piven and Cloward (1971). According to their account when mass unemployment leads to outbreaks of civil disorder, ruling elites expand relief programs as a mechanism of social control designed to restore political stability. In the English case there is much evidence to support this interpretation of poor relief efforts. It fits well with the liberalization of relief policies during the early seventeenth century (the Elizabethan Poor Law) and the late eighteenth century (the Speenhamland System).

But there are also a number of major policy shifts that are not explained by their model. As we have seen, the theory needs amplification in order to explain the punitive response to civil disorder during the fourteenth century (the Statutes of Laborers) and the early sixteenth century (the early Poor Law statutes). It also does not adequately deal with the Poor Law Reform of 1834 which was a distinctively restrictive response to the civil disorder and turmoil of the era.

It would seem that for the English case a policy of repression was generally preferred to a policy of liberalization. A policy of liberalization was an alternative resorted to when repression alone would not restore social order. In addition to the cyclical trend between more liberal and more restrictive relief policies, there was also a long-term trend from less restrictive old age relief policies to more restrictive policies.

One possibility for more restrictive policy would be a long-term trend toward a

larger elderly population. Were harsher policies needed as the proportion who were old increased? Age structure estimates for England prior to 1841 are only available for selected villages, but there is sufficient evidence to conclude that there was little if any increase in the proportion of elderly between the sixteenth and middle of the nineteenth century (Laslett, 1976). Similarly, we have no reason to believe that there was any increase in the proportion of elderly from the twelfth through the sixteenth century. It is unlikely that changes in age structure are responsible for the long-term trend toward harsher policies.

We have argued in this paper that the restrictive trend can better be explained by the development of a market economy. In the Middle Ages the market economy was just starting to emerge and it had not advanced to the point at which it was having a significant impact on relief policy. Much more influential was the ideology of the Church which viewed poverty as part of God's design and as an opportunity to demonstrate Christian Charity (Marshall, 1926). It was not a sign of personal failure, a crime, or a sign of immorality. Begging and voluntary poverty had distinguished Church heritage (de Schweinitz, 1943). The feudal manor was largely self-sufficient; neither the serfs nor the lords were attempting to respond to outside market demands. The relationship between serf and lord was based on an exchange, albeit one that much favored the lord. Because serfs were needed to work the land and often difficult to replace, the lord had an economic interest in the health and well-being of his serfs.

By the early seventeenth century the more developed market economy was having a significant effect on poor relief policy. Dobb (1963) has argued that the late 16th and early 17th century marks the opening phase of

capitalism in England. In this period, labor-power has become a commodity like any other article of exchange. That transformation is crucial in understanding both the history of capitalism and the history of relief. In the Elizabethan Poor Law of 1601, the able-bodied were put in a distinct relief category. They were not to be given relief unless they were willing to work. The cycles of the market economy were contributing to periodic problems of large scale unemployment. As an increasing proportion of the population were drawn into the market economy, more people became vulnerable to these cycles. The resulting mass unemployment was more than Church relief could handle (Leonard, 1900). A public relief system based on a compulsory poor tax offered an alternative approach more consistent with the economic realities of the early seventeenth century. During this era of mercantilism, markets became a concern of the government but there was little awareness of the influence that markets would soon exert over all spheres of social life. The idea of a self-regulating economy was not yet affecting public policy (Polanyi, 1944), but there had been a sharp increase in the portion of production carried out by wage earners hired by capitalists (Dobb, 1963).

The Poor Law Reform of 1834 was formulated at a time when England had a fully developed market economy. The Reform of 1834 and its policy consequences reflected the priorities of the self-regulating economy. While it did not call for a total end to government involvement in poor relief as some laissez-faire advocates were suggesting (de Schweinitz, 1943), it did represent the minimum public poor relief possible at the time given the need to maintain social order. Relief was now intentionally made stigmatizing and degrading so as to discourage all but the "truly needy" from becoming paupers (public dependents). Relief had come to be

viewed as at best a necessary evil that represented an undesirable reduction in the economic return due the industrious. Many of the infirm elderly and many older workers had no choice but to accept these indignities as the price for a meager subsistence.

These nineteenth century changes in relief policy reflected the imperatives of fully developed competitive capitalism. The industrial revolution and the emergence of the factory system led to a situation in which the capitalist mode of production moved from being important to the productive process to a position of total dominance. Virtually the entire economy was now based on work relations between capitalists and wage earners (Dobb, 1963). Large-scale factory production severed what little remaining hold the laboring producer had on the means of production. The creation of a class wholly dependent on wage labor was complete.

Efforts to minimize relief and minimize the consumption of unproductive groups such as the elderly poor were entirely consistent with an economy dominated by competitive capitalism. Social legislation was now clearly aimed at supporting the social relations of production in capitalism. The right of owners to appropriate the products of laborers was well established in law and custom. So too was an ideology that asserted the moral superiority of the wealthy. Whereas in Medieval Europe Holiness was gained through acts of charity, in 19th century England accumulation was seen as a sign of salvation. Those who were most successful in "taking" became defined as the greatest "givers" in the capitalist social order. Those who "gave" the products of their labors and were therefore unable to support themselves in old age or periods of unemployment became defined as the immoral "takers. No piece of social legislation since that time has seriously

challenged that ideology or the social relations that it supports.

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