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Organising complexity: Rethinking “state” and “society” in Victorian England

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This chapter sketches an alternative way of formulating the relations of state and society as they evolved in Victorian England. The aim is to help resolve a problem that continues to define the historiography of governing in Victorian England, which might be crudely stated as follows. On the one hand, all historians can agree that the English state during this time was relatively small, certainly when compared to those of her continental neighbours, especially France and Prussia-Germany. The principal explanation for this is a broadly liberal attachment to local government and localised, voluntary forms of agency (as against the power of central officials and compulsory statute laws). Though a crude measure, figures on public expenditure bear this out. Whereas in Britain the proportion of gross national product allocated to central and local expenditure declined from 15 percent to 9 percent between 1830 and 1880, in France it grew to 18 percent. By 1910, public expenditure in Britain had risen to 12 percent, but this was still lower compared to France (at 15 percent) and Germany (at 16 percent).¹ Further support is derived from the accounts of contemporaries. From the 1830s through to the turn of the century, Britons commonly drew favourable contrasts between an English culture of local autonomy and civic voluntarism, and the bureaucratic excesses of continental regimes.² Foreign observers were similarly struck. One instance is the remarkable two-volume study by the Moravian-born Josef Redlich, entitled *Local Government in England*, published in 1901. As he wrote in the preface to the 1903 English translation, he had undertaken such an expansive study partly in order to bring “before the eyes of continental Europe ... the first lesson of what self-government really is.”³

On the other hand, historians insist that the relations between state and society in Victorian England were intensely complex. They do so in different ways, applying varying degrees of pressure to the idea of a unitary and distinct “state.”⁴ One common observation is that relations between central and local, and statutory and voluntary agents were highly variable, both *within* particular policy domains and *across*

¹ Martin Daunton, *Trusting Leviathan: The Politics of Taxation in Britain, 1799–1914* (Cambridge, 2001), 65.

² Jonathan Parry, *The Politics of Patriotism: English Liberalism, National Identity and Europe, 1830–1886* (Cambridge, 2006), chap. 1.

³ Josef Redlich, *Local Government in England* (London, 1903), xiii.

⁴ The most recent review of an enormous historiography is Philip Harling, “The State,” in David Brown, Robert Crowcroft and Gordon Pentland (eds), *The Oxford Handbook of Modern British Political History, 1800–2000* (Oxford, 2018), 67–82.

them. In terms of the latter, for instance, whereas the “primacy of the local” continued to characterise elementary education, the state assumed immense powers of intervention in penal reform, where a central Prison Commission was set up in 1877 that directly managed local institutions, essentially nationalizing them. Other historians have developed this line further, however, offering a more dynamic view of state-society relations. Peter Baldwin, for instance, has argued that the comparatively diminutive size of the English state should not be taken as an index of administrative effectiveness or organizational intensity—quite the contrary, for there were many areas where the English excelled in intervening. A key example can be found in the realms of public health, where English local authorities implemented systems of sanitation and quarantine that were far more extensive and restrictive of liberty than those enacted by the larger states of the Continent. “If we look not at the State and civil society in mutual isolation,” he writes, “but in terms of their interaction, things appear differently.”⁵ More radical still are historians writing in a Foucauldian vein, who have called into question the very distinction between state and society. They write instead of diffuse forms of pastoral and disciplinary “governance,” as well as administrative “networks” and “systems,” that combine the agency not only of central and local, official and voluntary actors, but also of humans and non-humans (e.g. technologies).⁶ The logic of this position is clear, as Patrick Joyce has suggested, in his history of the liberal state in modern Britain: “the state ... is grounded in us, the ‘us’ of state personnel, as well as the ‘us’ who are the subject of the state.” In this reading, the distinction is altogether illusory.⁷

So, all can agree that Victorian England possessed a relatively small, liberal state. The problem is how to conceive of the state’s clearly complex relations with society; and, ultimately, whether we accord any kind of analytical purchase to distinctions between “state” and “society,” “official” and “voluntary,” and so on, or instead regard these as unhelpful, hindering the more important task of reconstructing the mixed practices and hybrid networks through which power really operated. The problem is especially acute simply because the Victorians clearly took these distinctions seriously, even as they were engaging in practices and building networks that, according to later historians, confounded these distinctions. How, then, might we figure a way out of this impasse—can we, like the Victorians (and of course many others in their wake) take these distinctions seriously, but also acknowledge the diffuse, networked and governmental nature of power?

⁵ Peter Baldwin, “The Victorian State in Comparative Perspective,” in Peter Mandle (ed.), *Liberty and Authority in Victorian Britain* (Oxford, 2006), 54.

⁶ Patrick Joyce, *The Rule of Freedom: Liberalism and the Modern City* (London, 2003); Lauren M. E. Goodlad, *Victorian Literature and the Victorian State: Character and Governance in a Liberal Society* (Baltimore, MA, 2003); and Chris Otter, *The Victorian Eye: A Political History of Light and Vision in Britain, 1800–1910* (Chicago, 2008).

⁷ Patrick Joyce, *The State of Freedom: A Social History of the British State since 1800* (Cambridge, 2013), 310.

Work by the political theorist Timothy Mitchell and the sociologist Niklas Luhmann suggests that we might.⁸ In brief, what it suggests is that we might regard binary conceptions of power, such as the state/society distinction, less as a means of reflecting on complex power relations from without, and more as a means of ordering complex power relations from *within*. In other words, we might regard them as discursive or linguistic tools that help actors negotiate the complex, dense and entangled forms of power that generate social order. For Luhmann in particular the use of binary distinctions enacts a crucial operational paradox. On the one hand, they help to simplify systemic complexity, thereby allowing agents to intervene in and act on this same complexity; on the other, in so doing, they allow for the reproduction of systemic complexity, thereby necessitating further observational acts of binary simplification. Put another way, discursive or linguistic forms of binary differentiation are the means of systemic entanglement at the level of practice, and vice versa. One stimulates the other, in ongoing loops of reflection and action.

This is a crude summary. Ultimately, Mitchell and Luhmann raise very different questions about the nature of representation and power. But they furnish a basic premise which, given the problem outlined above, is surely worth exploring, even in a brief and schematic fashion. What follows attempts to do just this, and it does so with reference to three core areas of Victorian social administration: the poor laws, public health and elementary education. It begins by outlining the novelty of a set of distinctions historians all too often taken for granted—i.e. state/society, local/central, and official/voluntary—before examining how they were used, and the complex, hybrid networks of power they helped to organise and intensify.

Drawing distinctions

The exercise of power over a particular territorial space has always been characterised by the drawing of distinctions. In the centuries prior to the nineteenth, however, these distinctions were principally hierarchical and social, rather than functional and impersonal. To be sure, in seventeenth- and eighteenth-century England, as elsewhere in Europe, there was much in the way of conceptual innovation, notably Thomas Hobbes's *Leviathan* (1651), which is generally considered to mark the birth of an abstract, secular concept of the state, distinct from both rulers and the ruled.⁹ Yet the dominant way of conceiving of power was in terms of intricate, stratified relations, as expressed in the workings of the law, the Anglican Church and a "balanced constitution" composed of the monarch, Lords and Commons, as well as the personal capacity to rule that flowed from the ownership of property, especially land.¹⁰ Although the term "the State" was widely used, this was principally as a means of

⁸ Timothy Mitchell, "The Limits of the State: Beyond Statist Approaches and their Critics," *American Political Science Review* 85/1 (1991), 77–96; Niklas Luhmann, *Political Theory in the Welfare State*, trans. John Bednarz (Berlin, 1990).

⁹ Quentin Skinner, "The State," in Terence Ball, James Farr and Russell L. Hanson (eds), *Political Innovation and Conceptual Change*, (Cambridge, 1989), 90–131.

¹⁰ J. C. D. Clark, *English Society, 1660–1832: Religion, Ideology and Politics during the Ancien Regime* (Cambridge, 2000), chap. 2.

referring to the bounded space in which sovereignty was exercised. It was rarely distinguished from anything, performing much the same function as the more popular terms “Kingdom” and “Realm.” Indeed, it was only after roughly 1780 that “the State” and “Government” were used as proper nouns to refer to entities that had a peculiar capacity to *administer* things; but even then they were rarely seen as above, or opposed to, “society.”¹¹ The latter indeed was still understood in more diminutive terms, as specific forms of interpersonal association, rather than in the more generic, all-encompassing fashion that would become standard later.

In short, there was little sense of a functional, administrative distinction between state and society. Other distinctions that would later become commonplace were also absent. Despite the existence of complex chains of bureaucratic oversight and legal command stretching over the territory of England (e.g. relating to taxation and the administration of criminal law), no distinction was drawn between “central” and “local” authorities. Rather, the key distinction was between higher and lower tiers of government, or more precisely between “superior officers” and “officers of the Crown” on the one hand, and “inferior officers” on the other.¹² This is clearly spatial imagery; but it is also social and hierarchical, and was most commonly used in relation to the legal system, where a distinction was made between “superior courts” and “inferior courts”—between the high courts that sat in London and the county and magistrates courts that operated in the provinces. Equally, “officers” and “officials” were rarely distinguished from “voluntary” agents. The latter term was certainly current and was often used to distinguish acts that were not, in some sense, compelled. Freely given charitable donations, for instance, might be described as “voluntary subscriptions.” Yet no distinction was made between “State” or “official” agents and “voluntary” ones. This is perhaps because the offices performed at various levels, and especially at the level of parishes, counties and boroughs, eluded any such specification (e.g. magistrates, councillors and churchwardens). Though they might offer certain material advantages, none offered any formal salaried payment; and yet none was entirely voluntary, in the sense that holding office was a function of social status and was regarded as a strict duty.¹³

All of this changed in the first half of the nineteenth century, when the use of these distinctions—state/society; local/central; and state or government/voluntary—became current, developing into a more functional, impersonal and secular idiom for describing power. Beginning in the 1820s and 1830s, liberal thinkers and utilitarian lawyers began to theorise “the State” as a free-standing agent, separate from society and the actions and duties of individuals, charitable associations, and the “English people.”¹⁴ A state might become “omnipotent,” such was its capacity to “interfere” and “intervene” in society. Metaphors of “lines” and “limits” became increasingly

¹¹ Joanna Innes, “Forms of government growth, 1780-1830,” in David Feldman and Jon Lawrence (eds), *Structures and Transformations in Modern British History*, (Cambridge, 2011), 79–80.

¹² Joanna Innes, *Inferior Politics: Social Problems and Social Policies in Eighteenth-Century Britain* (Oxford: 2009), 2.

¹³ Mark Goldie, “The Unacknowledged Republic: Office-Holding in Early Modern England, c. 1640–1740,” in Tim Harris (ed.), *The Politics of the Excluded, c. 1500–1850* (Basingstoke, 2001), 164–170.

¹⁴ Michael Bentley, “‘Boundaries’ Theoretical Language about the British State,” in S. J. D. Green and R. C. Whiting (eds), *The Boundaries of the State in Modern Britain* (Cambridge, 1996), 33–34, 37–38.

common. J. S. Mill's *On Liberty* (1859) is no doubt a pioneering instance of this new conceptual idiom at work and is certainly the best known; but Herbert Spencer's *Social Statics* (1851) seems to have been the first text to have spoken explicitly of a shifting "boundary line of State duty," which might be "drawn" in various places.¹⁵ By the 1880s and 1890s, these lines were assumed to exist across all areas of social and economic life. Whereas earlier in the century detailed works had appeared on "the relations" of the State and the Church, they now appeared on the relations of the State and trade, the State and education, and the State and labour, among others. Interference came in "degrees" and might be more or less "direct".¹⁶

At the same time, the distinction between "the State", or "Government", and "voluntary" agents was popularised. This first occurred with any consistency in the sphere of elementary education, where various denominational groups sought to promote their competing schemes, notably the Anglican National Education Society (NES), founded in 1811, which was by far the largest. It was a distinction that was drawn with increasing frequency from the 1830s, when a Committee of the Privy Council on Education was established to administer grants to help with the building of schools, a function assumed in the mid-1850s by the more autonomous Education Department.¹⁷ By the last decades of the century, the term "voluntary" was used to distinguish a variety of associations, among them charities, trade unions and churches, including the Anglican Church. Finally, distinctions were now drawn between "central" and "local" institutions. This language, too, seems to have first emerged in the context of elementary education, as some of the first voluntary societies developed London-based "central committees" and "central schools" that sought to advise affiliated "local schools."¹⁸ But it was the reform of the poor law and public health during the 1830s and 1840s that rendered the language commonplace. The former entailed the establishment of a new London-based Poor Law Commission (PLC) in 1834, the latter a London-based General Board of Health (GBH) in 1848. Both were described as "central authorities," and both worked with what were now called "local authorities," namely elected, ratepayer-funded local boards of guardians (poor law), and local boards of health and municipal corporations (public health).¹⁹ When both areas of social policy were reformed in the 1860s and 1870s, they were placed under the joint central management of the Local Government Board (LGB), formed in 1871. A year earlier "local school boards", again elected and supported by ratepayers, were allowed to form, complementing the work of the voluntary education societies, so that educational provision might be universal.

Politicising boundaries

¹⁵ Herbert Spencer, *Social Statics* (London, 1851), 283.

¹⁶ James Meadowcroft, *Conceptualizing the State: Innovation and Dispute in British Political Thought, 1880–1914* (Oxford, 1995), 9–15.

¹⁷ D. G. Paz, *The Politics of Working-Class Education in Britain, 1830–50* (Manchester, 1980).

¹⁸ Tom Crook, "Model institutions and the geography of social reform in early Victorian Britain," *Historical Journal* 62/3 (2019), 796.

¹⁹ Tom Crook, *Governing Systems: Modernity and the Making of Public Health in England, 1830–1910* (Oakland, CA, 2016), chap 2.

This is not to suggest these distinctions were all of the same status. State/society might be regarded as the master distinction, of greater abstraction compared to the other two, and was the most open to different understandings. We might note, too, that local/central and state/voluntary were sometimes formulated in different ways, the latter especially (e.g. as official/private and statutory/voluntary). None of this, however, should detract from the essential point that this novel grid of discursive distinctions emerged during the Victorian period. How might we explain this? Historians have already suggested that the popularisation of the state/society distinction should be understood as the product of a variety of developments. Among these are the emergence of “organic”, evolutionary currents of thought that stressed the diversity and dynamism of society; the conflicts and confusions of status generated by industrialisation and urbanisation; and the advent of a more expansive legislative remit for parliament, which now extended to areas previously considered of only limited interest, not least areas of social reform (e.g. education, public health, factory conditions and policing). All of these, it is suggested, helped to generate a demand for a unitary, unifying concept of power such as “the State.”²⁰

Doubtless they did and such accounts already imply, even if they do not state explicitly, that distinctions such as state/society had a certain utility. The work of Mitchell and Luhmann, however, in foregrounding this quality—in seeing them, first and foremost, as a means of internal ordering, of negotiating *and* enabling hybrid, networked relations of power—points toward another crucial factor: the growing intensity and institutionalisation of political critique and administrative accountability. This is evident in a series of other well-known developments, which together made for a more representative and accountable form of government: the gradual expansion of the franchise at all levels and the consolidation of organised political parties; the emergence of an official “Opposition” within parliament and the massive expansion of the newspaper press; and the pronounced growth of statistical information and official (royal commissions) and parliamentary inquiries (select committees), as well as pressure group lobbying, in all areas of legislative reform and administrative innovation.²¹ What this suggests is that the novel grid of distinctions also helped to provide a growing multiplicity of actors—e.g. MPs, ministers, officials, philanthropists, volunteers, journalists, councillors, and members of the public—with a means of participating in the work of reform using a *common conceptual idiom* or *discursive medium*. In other words, they enabled the collective politicisation of practices of governing, their opening up to ongoing debate and intervention, among an otherwise diverse concatenation of agents, equipped with multiple ideologies and perspectives (i.e. multiple strains of conservatism, liberalism, radicalism and socialism, which themselves mobilised various types of Christianity, organicist sociology, constitutionalist theorising, and political economy).

²⁰ Meadowcroft, *Conceptualizing the State*, 18–22; Bentley, “‘Boundaries’ in Theoretical Language about the British State,” 32–33.

²¹ A useful summary is James Vernon, *Distant Strangers: How Britain Became Modern* (Oakland, CA, 2014), chap. 4.

Their utility in this respect is evident in their remarkable currency and the way they cut across party-political and denominational affiliations, enabling a variety of different forms of critique. Crudely, we might think of these as arranged along a spectrum. At one end we find an oppositional form, which pitted different elements against one another, and that talked of separate “spheres” of action and “provinces” of duties and rights. The most cited case is the state/society distinction, which by the 1880s was being used in this antagonistic fashion, especially by sections of the Liberal and Conservative parties. Spencer’s later text, *The Man versus the State* (1884), is an exemplary instance, warning as it did of the “tyranny” that lurked in excessive statutory regulation, whilst championing the superior agency of local, voluntary and commercial modes of association.²² These oppositional uses first made their appearance, however, in the realms of education reform in the 1830s and 1840s, when Nonconformists in particular warned against the imposition of a “State system” of elementary schooling, fearing that “the Government” would crush the moral commitment and religious toleration that flourished under the “voluntary system.”²³ Similarly charged arguments animated the reform of the poor law and public health, where it was common to counterpose the power of central and local authorities. As Joshua Toulmin Smith, one of the most strident radical critics of the PLC and GBH, argued in 1851, “centralization” was fundamentally at odds with “local self-government.”²⁴ Centralised bureaucracies, he suggested, destroyed the civic freedom, accountability and self-sufficiency that accompanied the unfettered working of local institutions. Their “object” was “to take away the free action of every man over his own property; to stay the free use, by every man, of his own resources, his own ingenuity, and his own free action.”²⁵

At the other end we find what we might call an interactive, dialectical form, which suggested that otherwise distinct, bounded elements might in fact grow together in a process of mutual empowerment. “Idealist” conceptions of the state, which began to prosper from the 1880s, especially in progressive Liberal and socialist circles, are the most striking instance, relying, as they did, on an ethically charged and expansive conception of “the State” (though one which still had limits). In these readings, state intervention, when correctly deployed, was a means of social-democratic liberation, removing conditions (e.g. ill-health and ignorance) that otherwise prevented those in society from exercising their true freedom and realising their civic potential. Yet here, too, the basic dialectical form of this relation might be discerned earlier, during the 1830s to 1850s, in particular in Whiggish-liberal conceptions of centre-local relations.²⁶ As was argued in the context of poor law and public health reform, where the establishment of a central PLC and a central GBH was accompanied by the establishment of more accountable forms of local authority, there was no necessary opposition between the two. Quite the contrary, by working together, with one under the watchful eye of the other and in mutual dialogue, they

²² Herbert Spencer, *The Man versus the State* (London, 1884).

²³ E.g. Henry Dunn, *National Education* (London, 1838).

²⁴ J. Toulmin Smith, *Local Self-government and Centralization* (London, 1851).

²⁵ *Ibid.*, 56.

²⁶ Crook, *Governing Systems*, chap. 2.

would grow and flourish together. This was especially so in an epistemological sense. The centre was to act as a repository of general knowledge and guidance, as derived from the experience of reformed local authorities; and reformed local authorities were to act a site of policy application and experimentation, informed and tempered by lessons from elsewhere, as communicated by the centre.²⁷ As one sanitary reformer argued in 1851, the relation between the two was organic, akin to that which existed in the human body, where there was a central nervous system coordinating the local actions of the body's limbs and organs. The "antithesis between Centralization and Self-government" was entirely "fallacious". In reality, one depended on the other, forming a complex, evolving "unity."²⁸

Finally, occupying the middle ground, we might identify a coalitional form of drawing boundaries, premised on a sense that these elements should work together while maintaining their basic integrity and size. It was a mode that talked in terms of "alliances," "coordination" and "organisation." This was the dominant mode. It clearly animated the recurrent efforts to establish clearer, more systematic relations between official and voluntary and central and local agents. The abundant select committee inquiries and royal commissions into public health, education and the poor laws brim with concerns couched in these terms, such as the Newcastle Commission on education (1859–61) and the Royal Sanitary Commission (1869–71). It was, above all, infused with a sense of constructive, diplomatic pragmatism: of working with existing agents where they were useful and might be coordinated and reconfigured to better effect. The very formation of the LGB was born of a desire to secure a more efficient "machinery" of administration, not through the creation of wholly new institutions, but by means of consolidating and clarifying relations between existing arrangements, central and local. Bringing the management of the poor law and public health under "one Central Authority", it was suggested, would not "only harmonize, but economize the working of the whole system of local government."²⁹

The same coalitional form was applied to relations between official and voluntary agents. In education, for instance, James Philips Kay, as first head of the Privy Council Committee on education established 1839 charged with distributing building grants to schools, was always at pains to stress that this was a means of augmenting—"encouraging," "aiding"—the existing "voluntary system".³⁰ This is precisely why some called it the "combined system": as one of its advocates suggested in 1851, it was a form of "co-operation" whereby "the State" acted as "the patron of voluntaryism."³¹ Likewise, in the case of the poor laws, it was recognised that established voluntary initiatives had a role to play. This was especially so when it came to advising the poor on how to better manage their finances and so prevent pauperism

²⁷ John Stuart Mill provided the most cited formulation of this in his *Considerations on Representative Government* (1861), where he argued that "power may be localized, but knowledge, to be most useful, must be centralized." He spoke of a "perpetual communication" between central and local authorities, with each guiding and instructing the other. John Stuart Mill, *Considerations on Representative Government* (London, 1861), 290–291.

²⁸ [F.O. Ward], "Sanitary Consolidation", *Quarterly Review* 88 (March, 1851), 437–438.

²⁹ *Second Report of the Royal Sanitary Commission, Volume 1: The Report* [C.281] (London, 1871), 32.

³⁰ E.g. *The School in its Relation to the State, the Church and the Congregation* (London, 1846).

³¹ Joseph Fletcher, *Education National, Voluntary, and Free* (London, 1851), 17.

in the first place, as opposed to administering relief, which fell to local poor law officials. It was just this division of labour that James Stansfeld had in mind when, in 1874, as the ministerial head of the LGB, he suggested that the diminution of pauperism could only ever be properly effected “by some kind of alliance between official administration and voluntary action ... [by] the complete combination of official and voluntary action in meeting the great social and public wants of the State.”³²

Networking agency

Yet, just as the emergence of these distinctions should be understood as a product of the intensification of political critique, so too should it be seen as a product of the growth of increasingly complex, hybrid, networked forms of power. As the work of Luhmann in particular suggests, we need to grasp these distinctions as emergent conceptual-discursive technologies that operated in a two-fold fashion. On the one hand, they functioned as a means of simplifying complexity, thereby enabling an inclusive, representative field of political critique and decision-making. On the other, by functioning in this fashion, they served as a means of *reproducing* this complexity, allowing agents to act and intervene, and so resume their entangled, networked relations with other agents. So what sorts of hybrid networks did these distinctions at once reflect and engender—help to order and negotiate while also enabling their reproduction and intensification? We might isolate three.

The first might be called institutional and deliberative, as manifest in the diverse mix of agents that combined in processes of lobbying, debating and decision-making. What is true of the poor laws is true of public health and elementary education. All worked through teeming networks that jumbled up ministers, MPs, central and local officials, professionals, journalists, clergymen and councillors, as well as commercial agents when it came to capital projects and supplying necessary materials (e.g. food, disinfectants, books). Even at the local level, the day-to-day running of the poor laws combined the work of elected, voluntary boards of guardians; a variety of paid officials and employees (e.g. workhouse staff, relieving officers and medical officers); and further voluntary groups, such as the Charity Organisation Society set up in 1869, which engaged in pastoral work with the poor. Likewise, running schools required a similar mixture: voluntary society committees and, after 1870, elected local school boards, which supervised a number of schools; further voluntary committees for each school; plus paid headmasters and headmistresses, teachers and auxiliary staff (e.g. attendance officers and caretakers).

The picture is further complicated, of course, when we add to the mix the struggles that went into the making and functioning of central offices. Take the example of the GBH. Reform on a national scale was kick-started by Edwin Chadwick, a central official, and his 1842 *Sanitary Report*, a selective collation of hundreds of reports undertaken by local poor law officers, doctors and engineers. Further impetus was provided by an official royal commission in 1843–45 and the voluntary Health of

³² “Mr Stansfeld on poor law administration,” *Poor Law Magazine and Parochial Journal* 2 (1874): 70.

Towns Association set up in 1844, which enjoyed the patronage of leading philanthropists, MPs and ministers. Meanwhile, workingmen petitioned parliament in favour of sanitary reform; local and national newspapers variously called for and opposed change. The 1848 Act, which created the GBH, was steered through parliament by ministers and mangled by MPs, who secured concessions, notably the exemption of London.³³ Once the GBH began work, it had to engage with (elected, voluntary) municipal councillors and (elected, voluntary) members of newly formed local boards of health, plus their paid clerks and surveyors. Visits from central inspectors would take place; drainage and sewerage plans would follow; contracts with private civil engineering firms would be issued; work would commence.³⁴ By 1870, more than 600 schemes of this sort had been executed, each one the product of multiple and often fractious deliberative processes where neatly drawn discursive boundaries between state and society, centre and local, voluntary and official were ceaselessly crossed and undone.

None of this precludes recognising the force of these decisions, which might be legally binding. The point is that they were reached via complex chains of encounters that moved back and forth through hybrid networks of agents. In the 1870s, for instance, school attendance officers began work, tracking down absences among children. Ultimately, these cases could end up in a magistrate's court, where a judge would review the evidence and normally impose a modest fine. The number that went to court was not inconsiderable: in London, during the 1870s and 1880s, annual totals regularly exceeded 10,000.³⁵ But such outcomes were a fraction of the total cases investigated (it seems roughly 10 percent), and constituted the end point of a series of administrative stages, where efforts were always made to resolve the problem amicably: the inspection of classroom registers and the dispatch of notices to parents; doorstep discussions and appearances before an attendance committee; and, should the problem persist, the issuing of a court summons. Similarly, LGB officials were called upon to act in a quasi-judicial fashion to help determine plans and resolve disputes relating to local sanitary improvements (e.g. compulsory purchases of land; the formation of joint boards). Following representations from local councillors and other interested parties (e.g. ratepayers; landowners) and the issuing of a public notice, an inquiry would take place, which normally involved hearing evidence from all sides at a suitably public location such as a town hall. A legally binding provisional order would then be issued by the LGB and approved in parliament (though this approval was not always forthcoming).³⁶ The number of these inquiries easily exceeded a hundred every year: in 1876, almost 200 took place; in 1896, more than 300.

³³ Instead, in late 1847, a new Crown-nominated Metropolitan Commission of Sewers was formed, followed in 1855 by an indirectly elected Metropolitan Board of Works. It was the latter body that undertook London's pioneering Main Drainage Scheme, which was built between 1859 and 1865.

³⁴ Christopher Hamlin, *Public Health and Social Justice in the Age of Chadwick: Britain, 1800–1854* (Cambridge, 1998), chaps 9 and 10.

³⁵ Sascha Auerbach, "'The Law Has No Feeling for Poor Folks Like Us!': Everyday Responses to Legal Compulsion in England's Working-Class Communities, 1871–1904", *Journal of Social History* 45/3 (2012), 686–708.

³⁶ On the use of provisional orders see Christine Bellamy, *Administering Central-Local Relations, 1871–1919: The Local Government Board in its Fiscal and Cultural Context* (Manchester, 1988), 212–14.

What informed these decisions? A second type of hybrid network might be called regulatory and informational, as performed in the great mass of administrative norms and forms of information that circulated between the agents described above. The very powers of local authorities were circumscribed by the statute laws passed by ministers and MPs in parliament. Charities and voluntary societies were not so tightly defined, but their legality was often granted (officially, centrally) by a royal charter. Crucially, information flowed up and down. Just as central officials and inspectors issued reports and imposed strict accounting requirements on local authorities, so local officials, councillors and voluntary organisations sought their advice, critiqued and appealed central orders, and pioneered practices of their own. The result was a sprawling exchange of correspondence and a multi-layered accretion of literature. Between the weighty annual reports of central authorities on the one hand, and commentary in national and local daily newspapers on the other, we find a range of intermediate publications. Among these were hundreds of legal guides for councillors and professional handbooks for officials, all of them cross-referencing and critiquing other publications and sources of information.

Not all of this was a Victorian phenomenon—from its inception the NES and its nearest rival, the British and Foreign Schools Society (established in 1808), published bulky annual reports—but the density of information intensified markedly from the 1830s. The best example, perhaps, is the official work of the London-based General Register Office and its network of local registrars. Established in 1837, the office began by publishing annual reports detailing and dissecting the mortality statistics of England and Wales. By the early 1850s, it was providing quarterly digests of local death rates, and by the 1870s weekly returns of the death rates of some twenty major towns and cities—an unprecedented mass of public health data made possible by an intricate system of death certification and information management. Commercial sources, however, also helped to drive the hybrid economy of information that emerged. A splendid example is the weekly *Local Government Chronicle*, published by the bookseller Charles Knight. Founded in 1873, and pitched at councillors and officials engaged in the poor laws and public health, it was partly designed to provide a running commentary on the work of the LGB, offering up-to-date news features and critical editorials. Agents, too, rallied and combined, creating their own organs of deliberation and reflection in the process. Even the lowly organised in this way. The National Union of Teachers was formed in 1870, resulting in annual conferences and reports, journals and newsletters. The first national conference of sanitary inspectors was held in 1876; a national association was established in 1883; a bespoke journal followed in 1895.

Of course, none of this made for greater local uniformity. Practices remained highly variable in all areas at all times, as indeed was documented at length in the unprecedented outpouring of official and non-official forms of information that passed through the hands of agents. Historians have often highlighted this by way of arguing for the limitations of the Victorian state; but this is to miss the more profound transformation that had been wrought—that variations of practice were now routinely put into discourse, allowing them to be debated, critiqued and celebrated.³⁷ In other words, it is not just that the sources of information were multiple, making for a truly

³⁷ For further discussion on this point see Crook, *Governing Systems*, chap. 3.

hybrid and abundant print culture. It also became impossible to think of the work of a particular local authority or voluntary organisation outside of the national picture. The administrative consciousness of the central and the official—“the State”—was hardwired into the consciousness of the local and the voluntary, and vice versa.

How was this paid for? A final type of hybrid network was financial, as evident in the complex circuits of financing and accounting that enabled unprecedented investment in elementary schooling, poor law administration and public health. As historians have detailed, greater sums of money were gradually derived from central grants-in-aid, shifting the burden from a variety of local taxes—i.e. poor rates, sewerage rates, and school rates—levied on owners and occupiers of property (though rates still provided the principal source in 1900: roughly 85 percent of the poor law budget and 60 percent of public health and education).³⁸ Historians thus speak of growing state intervention in this respect. Yet this is to repress at least two aspects of the hybrid character of the financial networks that developed, and the way they crossed and confounded the distinctions drawn at the time. The first is the existence of multiple sources of revenue, beyond that derived from some form of tax. Voluntary schools in particular relied on a patchwork of charitable subscriptions and modest pupil fees, supplemented from 1839 by central grants for school building and teaching costs on condition of allowing inspections by central officials. Notoriously, from the 1860s through to the 1890s, teaching grants were partly determined by the performance of pupils in exams: the so-called “payment-by-results system”.

The second is the complex set of operations for generating, allocating and leveraging fiscal revenues. The central revenues that were allocated towards grants-in-aid were harvested from a variety of sources and administered by a variety of local and central officials, among them, after 1888, the fees from the sale of local excise licences (e.g. for the sale of alcohol) and from private probate duties. Meanwhile, the administration of the rates was a hugely complex affair, involving, so it was suggested in 1870, more than 100,000 paid and unpaid agents, who acted with varying degrees of diligence according to some form of central guidance.³⁹ The building of schools, workhouses and sewerage systems entailed a similar mix of practices and agents. With the exception of voluntary schools, the local tax base provided the security for the enormous loans that were required; but the loans might be sought either privately, from the financial markets, or from the Public Works Loan Board (PWLB) based in Whitehall. Either way, the plans and costings had to be approved by central officials, while written assurances had to be provided by councillors that they would adhere to the terms of repayment. The figures are striking. Between 1835 and 1844, more than 500 loans were provided to the 600 or so poor law unions in England, most of which were used to build workhouses. Between 1870 and 1876, local boards borrowed a

³⁸ Karel Williams, *From Pauperism to Poverty* (London, 1981), 171; Robert Millward and Sally Sheard, “The Urban Fiscal Problem, 1870–1914: Government Expenditure and Finance in England and Wales,” *Economic History Review* 48/3 (1995), 507–509.

³⁹ R. H. Inglis Palgrave, “On the Local Taxation of Great Britain and Ireland”, *Journal of the Statistical Society of London* 34/2 (1871), 140–142.

staggering £10m to build new schools, almost all of it from the PWLB, helping these newly created bodies to double the number of national school places by 1880.⁴⁰

Finally, all forms of expenditure had to be accounted for and audited in another process that inscribed the local within the central. In brief, this required local authorities to prepare their own accounts, which were then subject to central inspection by official auditors. This was first practised in 1846, when local poor law expenditure was made subject to an official audit. The same requirement was applied to boards of health in 1858 and school boards in 1870, before it became a fully salaried, consolidated service under the LGB in 1879. The burden was immense. In 1879, the LGB's thirty-four district auditors had to inspect some 18,000 accounts, a figure that rose to 25,000 in 1910; and it gave rise to vexatious disputes regarding disallowances and surcharges.⁴¹ During the 1880s, more than 1,000 appeals a year were lodged against the decisions of the LGB, some of which had to be resolved in court. Indeed, of all the practices employed by the LGB, it was district auditing that did most to damage relations with local authorities. The LGB's standard defence was that it was only seeking to protect the interests of another key agent: the ratepayer.

Conclusion

It bears repeating that the above is only an exploratory sketch. Considerably more might have been said about all the elements surveyed above; and it has traversed only a limited selection of core social policy areas—the poor laws, public health and elementary education. Two aspects seem indisputable, however. The first is that it was the Victorians who first began using distinctions between “state” and “society”, “local” and “central” and “voluntary” and “official”, with any regularity or consistency. The second is that the Victorian period witnessed a proliferation of fractious, politicised administrative networks, of various sorts and across multiple domains of social policy, which crossed and confused these boundaries. What is more questionable, perhaps, at least in the absence of further elaboration, is the conceptualisation of how we relate these two developments and make sense of their joint emergence. In the above the broad premise has been put forward that we should treat discursive distinctions as communicational technologies that help agents order and negotiate governmental complexity, and thereby reproduce it.

Yet, if correct, or even broadly so, it helps us to break the historiographical logjam noted at the start of this chapter. But it also helps us to confront another indisputable fact: namely, that contests over the relations of state and society, and the more particular relations of local and central and voluntary and official agents, would persist much beyond the Victorian period into the twentieth and twenty-first centuries, amid the march of still more complex, hybrid networks, and the rise and fall of the so-called Welfare State. Ultimately, then, we might see the Victorian period as but the opening phase of a longer, deeper history of organising governmental

⁴⁰ Ian Webster, *The Public Works Loan Board 1817–76 and the Financing of Public Infrastructure* (PhD thesis, Sheffield Hallam University, 2015), 102, 161.

⁴¹ Bellamy, *Administering Central-Local Relations, 1871–1919*, 171–172.

complexity—that far from resolving disputes and conflicts about the organisation of power, the distinctions that came of age in the nineteenth century served instead to institutionalise them, granting them an enduring and distinctively modern linguistic and conceptual form. Still today we use these distinctions, as we continue to debate the relative size and effectiveness of “the State”; still today we live in hybrid networks of intense organisational complexity.