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**From a Confessional to a Nation State? National Identity and the  
Church of England, 1780-1838**

**Frost, Jason**

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**From a *Confessional* to a *Nation State*? National Identity and the  
Church of England, 1780-1838**

**By**

**Jason David Frost**

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**University of Westminster**

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**Abstract**

This thesis seeks to understand how the Anglican Church's relationship to wider society shifted from a position of being the principal medium of nation-wide identity formation to one in which the institution represented just one of a number of different vehicles through which to form and sustain an identity. It endeavours to achieve this through the examination of the multifarious ways in which the Church engaged and interacted with the bulk of the population. Firstly, it provides an analysis of the parochial church's role as the provider of welfare support and how the implications of the rise of political economy served to fundamentally alter its established approach in ways which negatively impacted the perception of the institution as being the servant of the whole parish community. Secondly, it looks at the gradual reduction in the authority and function of the Anglican parochial infrastructure as being the primary mechanism for the governance and administration of the local community. A development which initiated the uncoupling of what had been a centuries old notion of the church as font of legal validation and as a place of genuinely popular government. Thirdly, how the church's near-monopolistic control over the ceremonies of birth and death was broken through a series of socio-cultural, legislative and theological changes. Changes which themselves contributed to increasing religious plurality, and consequently to an emergent tendency of Anglican incumbents to demarcate their own 'sheep' from the wider parish 'flock.' Lastly, this thesis considers how efforts to increase the provision of church seating initiated a debate on how the physical shape, architectural style and internal arrangement of such buildings could themselves serve to influence the individual worshiper's understanding of their faith, the institutional values of the church and ultimately their own identification with that church.

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## **Author's Declaration**

I declare that this thesis was composed by myself, that the work contained herein is my own except where explicitly stated otherwise in the text, and that this work has not been submitted for any other degree or professional qualification except as specified.

This study explores how the Church of England saw itself in relationship to the wider society it served, how that perception changed, and what the implications were for the institution as a transcendental signifier of identity. I will attempt to articulate this changing relationship by pointing to a fundamental shift in the attitude and approach of the Established Church from one exuding banal<sup>1</sup> parochial churchmanship to one far more akin to a gathered congregational church. The broader implication of such a shift is that this led to a fundamental weakening of the foundation of the post-Reformation Anglican-Confessional construct. This model had sought to establish a constitutional basis to the corporate secular order via conformity to a particular 'national church' (that is one in which your membership conferred your identity as part of the nation). With this structure now failing, what would emerge in its place would be the concept of *the nation* as itself some form of transcendent identity. This new model would effectively provide a medium through which the transcendentalisation of the purely secular institutions of the state; Monarchy, Parliament and (to a certain extent) the Empire, could be affected. Identification with such a concept would then allow for the pursuit of an individual sense of identity (as expressed religiously), but at the same time facilitate participation in a corporate vision of wider society. Put another way, I seek to argue that whereas the Anglican-Confessional state (expressed via banal churchmanship) sought to bring about a stable polity through sacral conformity, what took its place was a concept which sought to bring about a constitutional order through the institutionalisation and sacralisation of diversity (the 'gathered church'). This study will deal with the situation in England only. The reason for this is due to the quite separate expressions of Confessionalism (or absence of it) apparent in Scotland

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<sup>1</sup> A technical concept borrowed from Michael Billig's work *Banal Nationalism* (1995) which is used to denote the mechanism in which a constantly reproducing and reinforcing ubiquitous normative reality is sustained in society.



(where there was already a recognition of diversity in that the Kirk took the place of the (Anglican) Episcopal Church as the focus for Confessional identity). In Wales (where religious allegiances were far more heterogeneous and geographically defined and the penetration of the Anglican Church much weaker) and in Ireland (where the established Church of Ireland represented the identity and interests of no more than 5% of the population).

The genesis of the idea for this doctorate began with my undergraduate dissertation on the political ideology of the Young England movement. The principal ideological thrust of this movement was a historicist critique of the prevailing socio-economic conditions as they existed during the first half of the nineteenth century and the hugely detrimental impact which these changes, wrought by an ever-intensifying industrialisation and urbanisation, had on the relations between classes, the individual and the wider community around them. It was an idea that was pithily summarised in Disraeli's famous phrase 'the Two Nations.' I took this phrase as the focus for my masters' dissertation in which I attempted to deconstruct what Disraeli actually meant when using the term 'the nation.' In the case of Young England and for Disraeli personally, the primary goal at the heart of their respective arguments was the need for a reinvigorated transcendentalism. For both Young England and Disraeli, human society is only capable of harmoniously existing if it is united beneath a great spiritual signifier. In essence, there needed to be some form of religious focus. The issue at stake was what form should/could this new transcendental focus take in a socio-political environment where the Established Church, and Christianity more widely, was beginning to lose its traditional monopoly over the hearts and minds of the masses.

This crisis in identity had arisen principally with the collapse of the previously dominant Anglican-Confessional conceptualisation of identity which had largely held intact since

the end of the Reformation in England until the final quarter of the eighteenth century. Up until this point the largely uncontested ubiquity of the Anglican Church in civil and spiritual affairs, as manifested through the Church-centred parish structure, defined inclusion within this framework as being the default state of identity for all within a defined geographical boundary. Defined in this way, the term 'Anglican-Confessional' associated with J. C. D. Clark<sup>2</sup> was a little misleading. The term Confessionalism implies an act of positive self-definition. Living within the Church-centred parish structure any active dissociation with the construct would have been largely confined to those groups which sought to deliberately set themselves apart from the Establishment. However, even among these groups, with the very limited exceptions of Jews and Quakers, their ability to sever links with the structure was limited largely to certain spiritual aspects only due to the monopoly of the Anglican parish over functions like valid registration of personhood and control of the parochial burial ground. It was through such obligations that the Anglican-Confessional construct was able to reinforce the integrity of its claim to be a truly national identity. However, it would simply be untrue to argue that this break with the Anglican-Confessional model was as sudden as it would appear. Rather, it should be noted that even from the beginning of the seventeenth century this constitutional construct was starting to come under significant internal and external pressures wrought by theological disputes within the Church of England and a rapidly changing socio-economic environment in which commerce and manufacturing was increasingly coming to challenge the traditional agrarian society; a basis upon which the position and role of the Established Church was effectively built. This had the effect of drawing increasingly critical

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<sup>2</sup> Clark, J. C. D. (1985), *English Society 1660-1832: religion, ideology and politics during the ancient regime* (Cambridge, Cambridge University Press).

attention to the reality that a conceptualisation of identity which was so closely intertwined with a specific form of socio-economic structure – and a particular form of administration – was too inherently rigid and inflexible to meet the challenges required to meet the changing socio-political circumstances.

However, despite its growing limitations as a construct, the impact and significance of the collapse of the Anglican-Confessional state cannot be downplayed at an institutional level. Identification within or without the Church of England had, for the best part of two centuries provided a basis for the ordered relations between people, communities and society at large. This construct had formed what one academic called the ‘transcendental signifier’<sup>3</sup> – or unifying principle – which had helped bind the English, and more broadly, the disparate nations of Great Britain, Ireland and the Old Empire (that is to say the Thirteen Colonies) together into one polity. Even those who did not conform to the Anglican-Confessional state model recognised its value, or at least passively acquiesced in its continuance as defining the normative environment. Its destruction meant the overthrow of that which was transcendent, the tearing asunder of that which formed the cornerstone of the constitutional governance of the state and the identity of the individual. What this represented was the gradual estrangement from the socio-political elite’s acknowledgement of the medium through which the relationship between the government and the governed had historically been determined. Hitherto, this relationship had rested upon (and been legitimised by) a simple principle of constitutional conformity (understood to mean adherence to the Established Church), or *confessionalism*. However, the fundamental weakening of this principle through external changes to the socio-economic structure of society (e.g.

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<sup>3</sup> Ulrich, J. M. (2001), *Sign of Their Times: History, Labour and the Body in Cobbett, Carlyle and Disraeli* (Athens, Ohio University Press), p. 88.

growing urbanisation, the intensification of agriculture through enclosure and the increasing proletarianization of the labourer) and through the threat posed by denominational challenges to the Anglican hegemony meant that the traditional 'contract' between the political elite and the people was now void. What was required was an agreement on a new constitutional basis to the polity, which would have both the inherent plasticity in order to adapt to developing circumstances but at the same time establish a central, unifying concept.

It is important to note that in making reference to terms such as 'the nation' and 'identity', and the related questions about community and nationality, I am attempting to analyse concepts which had only very recently been defined within the historical time period in question; and by the French Revolutionary enemy regime no less. There is an inherent risk of anachronism in deploying terms that only came into vogue in the particular setting of the French Revolution to explore the themes of this thesis. This presents the researcher without the option of being able to rely on any already existent well-developed thematic framework to use as a medium through which to interrogate the evidence. The tendency towards viewing the historical and socio-political evolution of concepts such as 'identity' and 'nationalism' through a purely Central European perspective, prevalent in much of the existent literature, is also something one must be alive to. To guard against this, I intend to apply a definition of the term 'the nation' which I developed in my previous work as a post-graduate student. This presents an understanding of 'the nation' which attempts to challenge the still dominant 'modernist' school of historiography; a school best represented by the very eminent names of Gellner, Hobsbawn, Breuilly and Anderson.<sup>4</sup> The key thrust of this school of thought is

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<sup>4</sup> Gellner, E. (1983), *Nations and Nationalism* (Oxford, Blackwell), Hobsbawn, E. (1990), *Nations and Nationalism since 1780: Programme, Myth and Reality* (Cambridge, Cambridge University Press), Breuilly, J. (1982), *Nationalism and the State* (Manchester, Manchester University Press), Benedict

the identification of 'the nation' with a particular form of political order and a self-identity inseparably fused to the state, relegating 'the nation'; not as an autonomous but inter-related element within the model, but merely the revolutionary attempt to adjust the basis of legitimacy for the extant state apparatus. For this school, the nation, nationalism and popular democratic government became synonymous; a position first espoused in the Abbe Sieyes' seminal *What is the Third Estate?* This approach is usually contrasted in the historiography with ethno-symbolism as developed by academics like Anthony D. Smith.<sup>5</sup> Smith's argument postulates that modern nations are built upon pre-modern cores of shared identities. This shared ancestry, myths, histories and cultures, establish an association with a specific geographical area, all of which produce a sense of solidarity among its inhabitants. Smith's approach, however, is in some ways only a gloss on the modernist school since it retains at its heart the idea that the building of the modern nation occurs through adding institutional development to these pre-modern identities.

In contra-distinction to the ideas advanced by the modernist school (and by Smith), I seek to explore the extent to which the pre-modern identities that Smith sees as intrinsic to his ethno-symbolistic roots of the nation were in fact fostered through association with religiously based institutions which, in England at least, predated the state. Having served their purpose as unifying agents of society and state throughout the medieval and early modern periods, they were by the late eighteenth century, for the various reasons to explored below, coming under pressure. My work thus seeks to position the concept of 'the nation' – and in this instance, particularly the English nation – as a historically defined and constructed constitutional framework, rooted in

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Anderson, B. (1983), *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London, Verso).

<sup>5</sup> Smith, A. D, (1991), *National Identity* (London, Penguin).

Magna Carta (which itself claimed to be a consolidation of commonly accepted but non-codified *ancient rights* and periodically reissued, with the 1297 iteration being of particular significance), consisting of a number of horizontally-acknowledged arenas of communal/corporate engagement manifested in local and 'national' institutions. Not the least important of these institutions, and the principal focus of my thesis, is of course the Church of England. It, and other long-established institutions, may have fostered the characteristics associated with Smith's ethno-symbolism, but their relative decline in the period under review meant new symbols, representing a desacralized (but not secularised) vision of the nation, had to rise in their place.

Existing work in the field of the interrelationship between religion and identity in late eighteenth and early nineteenth Britain/England is dominated by two names in particular; Linda Colley and J.C.D. Clark;<sup>6</sup> although it is possible to include a third, Adrian Hastings.<sup>7</sup> Colley borrows heavily from the 'modernist school' of nationalism, an approach problematised in this thesis, in that she views the gradual expansion of the formal state apparatus as the principal medium by which the disparate parts of England, the British Isles and the Empire were fused into a single polity. A process overseen by an increasingly insurgent commercial elite (eager to protect their recently acquired economic power over and against the traditional agrarian aristocracy), the nation was bribed, bullied and barracked into a more centralised and systematised structure which could be more closely regulated and controlled. However, in advancing this argument Colley not only falls prey to the modernist tendency to reductionism – focussing upon the State rather than the popular lived experience of identity and in

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<sup>6</sup> Colley, L. (1991), *Britons: Forging a Nation 1707-1837* (London, Yale University Press) and Clark, *English Society 1660-1832*.

<sup>7</sup> Hastings, A. (1997), *The Construction of Nationhood: Ethnicity, Religion and Nationalism* (Cambridge, Cambridge University Press).

particular the place of the Anglican Church-centred parish in this reality. On the other hand, Clark favours a revisionist approach which highlights the primacy of continuity in the experiences and perceptions of the people throughout the 'long eighteenth century.' In Clark's understanding, the cornerstone of majority popular identity with the nation remained throughout this period the Anglican aristocratic-gentry structure so vividly symbolised in the popular cry of 'Church & King!'. Such allegiance was fundamentally underpinned by a shared historical memory and by a religious tradition. Thus, Clark rejects the reductionism of both the Marxist and Whig interpretations as being far too inclined to view the eighteenth century through the prism of later developments in the nineteenth century. Yet, like Colley, Clark similarly fails to adequately analyse the reality of the Anglican-Confessional construct through the prism of its most identifiable manifestation, namely the parish. By such an omission, Clark places far greater evidential weight on the occasions of overt 'positive' expressions of Anglicanism as demonstrative of a continued affinity with the construct rather than considering the deeper attachments to it as an identity through the banal realities of everyday life. Also, like Colley, Clark attributes too much comprehensiveness to the supposed hegemonic nature of the Anglican construct, with the consequence that he fails to allot a place within the nation to those outside of the dominant religious orthodoxy.

Hastings, whilst his focus is primarily upon the foundation of nations from the early-medieval period, does at least clearly articulate the role of religion, specifically the Christian religion, as being at the basis of European nations, their respective histories, cultures and identities. He is also keen to stress the importance of the horizontal connections in the formation of nations as opposed to the enforced verticality brought about through the development and advance of the central state. However, there does

exist in Hastings a tendency to analysis the development of post-Reformation identity through his own confessional identity as a Catholic. His use of the term 'secularisation' is also problematic as he deliberately conflates the term with the split from Rome and the creation of the Church of England. The implication being that English Christian religiosity was somehow compromised by such an act, and reduced to little more than a political instrument. Also, his focus on the significance of print culture as being a principal tool in the intensification of post-Reformation identity fails to recognise its limitations in the context of a face-to-face society.

Like the Church of England itself, it is the intention of this work to take a bottom-up or parish based approach in order to chart an intellectual *via media* between the interpretations of Colley and Clark which points to the introduction of a concept of 'the nation' as a sacralised, non-denominational constitutionalism, thus creating an alternative approach by which one can at the same time provide an answer to the various limitations apparent in the arguments of both these authors. In doing so, I hope to build upon the work of scholars such as Hastings and, more recently, Jeremy Gregory, Anthony Claydon and Ethan Shagan.<sup>8</sup> However, in all four cases, these men are only seeking to capture part of the story; in Shagan's case, looking at the relationship between Recusants and the Anglican-Confessional State. My intention is to provide a more synoptic piece of work. At the same time, I intend to challenge the 'modernist' school narrative that the development of a recognisable concept of national identity came about only in the wake of a steadily retreating religiosity. In the English context at least, I seek to assert the position that God in identity was not removed as

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<sup>8</sup> Gregory, J. and Chamberlain, J. S. (2002) (eds.), *The National Church in Local Perspective: The Church of England and the Regions 1660-1800* (Woodbridge, Boydell), Claydon, A and McBride, I (1998) (eds.), *Protestantism and National Identity: Britain and Ireland c1650-1850* (Cambridge, Cambridge University Press), Shagan, E. (2005) (ed.), *Catholics and the 'Protestant Nation': Religious Politics and Identity in Early Modern England* (Manchester, Manchester University Press).



such, but rather that the individual conception of that God became separated from one's particular national affiliation. The two were mutually supporting, but no longer mutually defined.

In establishing that the concept of identity was essentially a religious one, I believed this to be a much-neglected perspective to the debate more widely on the issue of identity. It was certainly something which the many currently raging contemporary debates on identity-politics (e.g. British/English debate and the notion of gender-fluidity) have failed to even acknowledge. This I believe represents a significant gap in the field of knowledge and therefore it is easily justifiably as a topic for a research project of this nature. The reason for my choosing to locate my argument in the late eighteenth and early nineteenth century and not to address the issue in our present times was simply because I consider our present crisis in identity to be only the latest incarnation of the crisis which has periodically raised its head ever since the English Reformation; the first historical episode which sought to establish 'identity' as fundamental to man's relationship with God. The cause of much of the contemporary crisis in identity can arguably be found in the late eighteenth century and early nineteenth century transition from the Anglican-Confessional state to one where there was no longer a corporate confessionalism but rather the elevation of a new institutional transcendentalism; one expressed as King, Parliament and Empire. Identification with these institutions allowed one to pursue their own individual sense of identity, but at the same time participate in a corporate vision of wider society. This vision of society largely held sway up until the immediate post-War era and then began a rather rapid decline in the face of an increasingly anti-institutional socio-political environment. Thus, having largely kicked away this institutional framework, our modern society finds itself staring into a void. There has been a complete failure to

articulate a new corporate vision for society; a failure partly driven, I believe, by the refusal to see this as essentially an existential/transcendental/religious issue.

I had originally envisioned this research project as being one which would consider the decline of 'confessional identity' as it manifested within the different parts of the United Kingdom and her Empire during the period between 1780-1858. However, it soon became apparent from the volume of source material that to take such a broad-brush approach would present a significant challenge; both in terms of my available word-limit and in ensuring the required depth and quality of analysis. This was an issue which my supervisor had brought up during our initial discussions about the project and therefore it was not an entirely unexpected development. It was therefore agreed that I should shrink the geographical reach of my research question to specifically tackle the issue of identity in England only. Although still a substantial area for a research project, this reduction in scope allowed for the greater management of source material and for the appropriate level of depth in academic analysis. Thankfully, this alteration in the scope of the research did not pose any material impact on my progress at that point and I was able to continue without delay. The change allowed me to reduce the quantity of source material quite significantly which has given me the opportunity to pursue my research in a more targeted manner, curtailing the more scatter-gun approach which I found to be the case when trying to identify and gather relevant source material which referenced identity from areas outside of the specifically English experience of the concept.

For the same reasons as above, it was also considered prudent that I reconsider the proposed date-range for the project. I had originally intended to bookend my research period with the Gordon Riots of 1780; chosen because the riots were ostensibly triggered due to Parliament's willingness to repeal various restrictions on Catholic civil

liberties and thus challenging the basis of the Anglican-Confessional state structure, and 1858; the passage of the Jewish Emancipation Act and the final acknowledgement that religious plurality had to be accommodated within the state structure. However, as with the geographical scope of the project, it soon became apparent that this relatively lengthy time-period (for a research project of this nature) would simply take in far too wide a field to allow for the sort of considered and penetrating analysis required of a research project. Indeed, when set within the original geographical scope of the research question it was not difficult to argue the point that a shortened date range would prove to be far more deliverable as a project. The decision was taken to leave the start date at 1780 but to end it at 1838 instead of 1858. This new end date was chosen because it was the year following the commencement of civil registration and the ending of the Church of England's monopoly in these matters. Like the change in scope, the decision to alter the date range did not have much a tangible impact on my progress during the early days of my research as I had only just begun to build up my source material and establish my analytical approach.

Central to the approach of this thesis is the ideal of the Church-centred parish. Without the organisational basis of the parochial structure, it would have been impossible for the infrastructurally weak State to have established, maintained and perpetuated the Anglican-Confessional construct. It was only with the undermining of this ideal that ultimately brought about the collapse of the construct. With the limited exception of Bill Gibson's<sup>9</sup> work on the eighteenth-century church, and some regional specific studies

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<sup>9</sup> Gibson, W. (2000) *The Church of England 1688-1832: unity and accord* (London, Routledge), (1995) *The achievement of the Anglican Church (1689-1800): the confessional state in eighteenth century England* (New York, Edwin Mellen) and (1994) *Church, State and Society 1760-1850* (London, Palgrave Macmillan).

like that of Albion Urdank's work on the Cotswolds,<sup>10</sup> David Clark on North Yorkshire<sup>11</sup> and Diana McClatchey on the Church in Oxfordshire society,<sup>12</sup> efforts to approach the subject of individual and corporate identity through an analytical framework rooted in the distinctive duties and functions of the Anglican parochial structure during this period remains under-researched. Francis Knight<sup>13</sup> believed that the subject had been poorly studied in part due to the dearth of primary evidence. One is tempted to argue that the reason for this is precisely because of the sheer ubiquitous banality of the parish, so that few people of the time felt the need to write about their experience of it unless they sought to actively disassociate themselves from it (whether religiously or politically). This apparent lack of positive identification with Anglicanism as it was expressed in everyday life through the parish would of course help to support the arguments of Colley and Clark in locating the Anglican identity very much in supra-parochial organisations and socio-economic structures, membership of which required a very deliberate identification with Anglicanism. But as I have noted above, this is to rather skip over the fact that such an identity needed nurturing and grounding in the everyday lived experience before it was possible to mobilise upon the basis of positive associations with it. It is the intention of this thesis to go some way towards addressing this gap in the analysis.

Taking a thematic rather than a chronological approach, this thesis posits that the Church-centred parish ideal could be deconstructed into four broad (and usually overlapping) principles: communality, banality, aggregation and 'place.' Each of these

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<sup>10</sup> Urdank, A. M. (1992), *Religion and Society in a Cotswold Vale; Nailsworth, Gloucestershire 1780-1865* (California, University of California Press).

<sup>11</sup> Clark, D. (2009), *Between Pulpit and Pew; Folk Religion in a North Yorkshire Fishing Village* (Cambridge, Cambridge University Press).

<sup>12</sup> McClatchey, D. (1960), *Oxfordshire Clergy, 1777-1869; A Study of the Established Church and of the Role of Its Clergy in Local Society* (Oxford, Clarendon Press).

<sup>13</sup> Knight, F. (1995), *The Nineteenth Century Church and English Society* (Cambridge, Cambridge University Press).

principles will then be aligned to one of the four of main functions which were in the sole responsibility of the Church-centred parish at the beginning of our period. These functions were: poverty and poor relief, local administration, ceremonies of the life-cycle and the significance of the church building itself. In chapter one, I examine the impact of J.B. Sumner's *Records of Creation*<sup>14</sup> on the corporate Church's understanding of poverty as a socio-economic state, and how this changing attitude played a central role in the evolution of welfare reform. The resulting legislation, the New Poor Law of 1834, would break the link between the provision of poor-relief and the parish community. The poor of the parish were no longer to be regarded as being the direct responsibility of that community, rather they were a problem to be addressed by new distant state structures. The perception was that full parochial identity was no longer unconditional and permanent but tied instead very much to one's value as an economic actor.

Chapter two focusses on the parish's administrative functions, its place as the principal mechanism for the validation of identity and the perception of it being a communally owned institution. It also argues that, through the cumulative effects of the improvement in the economic status of some clergy, their increasing participation in the magistracy and the gradual diminution of the Church-centred parish as a basis for local administration, the notion of communality gave way to the imposition of centralised state structures which served to weaken the integrity of the parochial identity.

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<sup>14</sup> Sumner, J. B. (1816), *A Treatise on the Records of the Creation, and on the Moral Attributes of the Creator; With Particular Reference to the Jewish History, and to the Consistency of the Principle of Population with the Wisdom and Goodness of the Deity* (J. Hatchard).

Next, I move from the administrative to the ecclesiastical duties of the parish church. Through analysis of the rituals surrounding baptism and burial; the two most prominent moments in the life-cycle, I seek to argue that a fundamental source of strength for the continued political existence of a confessional state settlement lay in its banality<sup>15</sup> (and contextual flexibility) in practice. However, using the example of the legislative efforts to restrict clerical plurality (and increase incumbency), this banality started to be disrupted through the gradual appearance of a more discernible (and positive) socio-political-religious imperative in which membership of the Church (and through it the parish community) began to be defined not assumed. The so-called 'national church' became more and more one in which only some within the community were now welcome to participate. It was becoming a gathered rather than a parochially based church structure.

Finally, I turn to consider the purpose of the church building itself. Orientating the discussion around the church building programme initiated in 1818, I will seek to demonstrate that there existed two quite differing understandings of what exactly the Established Church was designed to achieve. For the intensely pious lay activists associated with the Church Building Society, this was about spreading the Gospel and bringing the world to Christ (as expressed through the Anglican Church) in the face of rising unbelief and sectarianism. But for many at the heart of government, the national religious infrastructure was a means by which a peaceful and ordered society might be maintained and supported against the threat of Revolution. Borrowing the juxtaposing concepts of 'place' and 'space' from spatial theory, I point towards a situation in which those seeking to deliberately replicate the Church-centred parish structure primarily as a means of social control (which I designate 'place') were

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<sup>15</sup> See footnote 1.

compelled by a number of factors to abandon this objective in favour of one in which the provision of a comprehensive religious experience became central (this I designate as 'space'). The consequence of such a shift was to further propel the Anglican identity away from the 'national' and further towards that of a 'gathered' church.

## Chapter I - The Church and Poverty

Poverty is often both honourable and comfortable; but indigence can only be pitiable and is usually contemptible. Poverty is not only the natural lot of many in a well-constituted society, but it is necessary that a society may be well constituted. Indigence, on the contrary, is seldom the natural lot of any, but it is commonly the state into which intemperance and want of prudent foresight push poverty; the punishment which the moral government of God inflicts in this world upon thoughtlessness and guilty extravagance.<sup>16</sup>

The statement above is probably one of the most powerful expositions of the emergent ecclesiastical (and lay religious) attitude to social inequality written in the immediate post-Napoleonic War era. The excerpt is taken from a *Treatise on the Records of Creation* and was authored by the then assistant master at Eton College, the Revd. John Bird Sumner. Published in 1816 (and going through at least three editions; 1825 and 1833), the intellectual impact of this essay in terms of its contributing to the re-

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<sup>16</sup> Sumner, J. B. (1833), *Treatise on the Records of the Creation* (London, J. Hatchard & Son), p. 103.

shaping of the Church's analysis of the causes of poverty, and the methods best employed to meet its challenge, has been significantly overlooked. For the most part, the reason for this can be attributed to the fact that the stated aim of Sumner's work was to affect a modification to the earlier work of the far more famous name of Thomas Malthus (himself an Anglican clergyman). What Sumner sought to do (and where the significance of the work lies) was to more clearly reconcile the principles espoused in Malthus' seminal *Essay on the Principle of Population* (first published in 1798, seriously revised in 1802 and running through six editions; the last being published in 1826) with the 'wisdom and goodness of the deity.'<sup>17</sup> Such a reconciliation of principles removed much of the moral opprobrium until then attributed to Malthus' analysis by many in the Church. By doing so, Sumner, who would go on to hold the see of Chester (1828-1848) before succeeding William Howley as Archbishop of Canterbury (1848-1862), would help to fundamentally redefine the traditional notion of Christian charity, the qualification for welfare and bring about the withdrawal of the Church from one of its key historical functions within the parish.

### ***The Records of Creation***

Appearing in the immediate post-war years, Sumner's work was set against a background of growing poverty, a rapidly rising demand upon the poor rates<sup>18</sup> and simmering civil unrest. To both the Church and State, the pillars of constitutional order, the widespread descent of the poor into actual pauperism in many areas seemed to confound all logic given that the economy was actually growing after years of war spending. Casting around for explanations as to why so many were now being

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<sup>17</sup> Published under the full title: *An Essay on the Principle of Population as it Affects the Future Improvement of Society with Remarks on the Speculations of Mr. Godwin, M. Condorcet, and other writers.*

<sup>18</sup> Poor relief costs, 1815: £5,072,028, 1817: £6, 910,925, 1818: £7,870,809.



rendered desperate enough to seek the modest support offered by the poor rates, it was to the proponents of the new science of 'political economy' that many turned for answers. For a limited number of policy-thinkers at least, in particular those in the secular elite, the new theories being espoused by the likes of Thomas Malthus; positing his 'iron-law of population' and the necessary intervention of 'positive' (war, famine and plague) and 'preventive' (sexual restraint) checks to ensure that the growth of the population did not exceed the available resources needed to sustain it, appeared to provide a relatively straight-forward (if a somewhat distasteful) answer to this troubling situation. However, many of the eighteenth century, pre-war generation of clergy felt repulsed by this abstract theory which effectively nullified the duty of Christian benevolence and appeared to welcome the suffering of God's creation; made all the worse of course by the fact that this theory had been formulated by an Anglican clergyman. Such opinions were not necessarily shared by the younger generation of churchmen who were now coming of age in the immediate post-war years, most of whom had been deeply influenced by the eighteenth-century intellectual environment of speculative thought. This generation were the first to confront the reality of a situation where the easy confidence and complacent security of an all-pervasive and dominant Established Church (which had characterised the mindset of many of the leading ecclesiastics of the late eighteenth century) was now beginning to be challenged on a number of fronts. Furthermore, poverty and pauperism were increasing at the same time as the Church's traditional hold over the hearts and minds of the people had started to wane. Those of this up-and-coming generation were far more willing to explore alternatives to traditional thinking. That said, even to this more broad-minded generation of churchmen (and laymen also) the gloomy pessimism of Malthusian theory, although not its essential validity, proved just too much of a

challenge to the fundamental principle of hope found in the Gospel. It was in attempting to mollify these theological scruples that Sumner penned the *Records of Creation*.

### ***Christian Political Economy***

In terms of its relative impact on the socio-political discourse on poverty and the nature of civil evil *Records of Creation* must be seen as being by far the most significant in terms of making the Malthusian argument acceptable within mainstream political and ecclesiastical society. However, Sumner's work was hardly innovative being, in actual fact, the final instalment of an intellectual continuum of debate which surrounded the emergence of the concept of which would come to be called 'Christian Political Economy'. Whilst it is common to identify Malthus as the progenitor of this notion with the publication of his vaunted *Essay on Population* in 1798, it must be recognised that the *Essay* was itself conceived as a partial corrective to the earlier *Principles of Moral and Political Philosophy* (published 1785) by the noted liberal churchmen the Ven. William Paley, Archdeacon of Carlisle. According to Waterman, it must be pointed out that "...the influence that Paley exerted upon Malthus' first *Essay* is closely akin to the influence of Ricardo upon Karl Marx, not merely a standard authority to be cited with respect but also as the clearest exponent of a doctrine urgently in need of correction."<sup>19</sup> To affect such a 'correction' Waterman asserts that Malthus "...constructed his argument upon an explicit rejection of two crucial propositions on which the entire structure of Paley's teaching was based."<sup>20</sup> The first of these propositions was Paley's populationist account of social utility. On this the author declared that

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<sup>19</sup> A.M. C. Waterman, A. M. C. (1991), *Revolution, Economics & Religion: Christian Political Economy 1798-1833* (Cambridge University Press, Cambridge), p. 119.

<sup>20</sup> *Ibid.*

I think with certainty, that the quantity of happiness produced in any given district, so far depends upon the number of inhabitants, that in comparing adjoining periods in the same country, the collective happiness will be nearly in the exact proportion of the numbers, that is twice the number of the inhabitants will produce double the quantity of happiness.<sup>21</sup>

Malthus would counter this assertion by positing that

On the subject of population, I cannot agree with Archdeacon Paley, who says that the quantity of happiness in any country is best measured by the number of people. Increasing population is the most certain possible sign of the happiness and prosperity of a state; but the actual population may be only the sign of the happiness that is past.<sup>22</sup>

Although there were elements of Paley's argument which Malthus willingly acknowledged, in particular the idea that subsistence was a culturally determined minimum;

It is not enough that men's natural wants be supplied; that a provision adequately to the exigencies of human life be obtainable; habitual superfluities become actual wants; opinion and fashion convert articles of ornament and luxury into necessaries of life...a view to their accustomed mode of life, which is so apparent in the superior order of people, has no less influence upon those ranks which compose the mass of the community.<sup>23</sup>

Malthus also recognised that a *preventative check* on the growth of the population tends to operate among certain parts of society as a means by which these individuals might improve their own socio-economic position; "It is only in the marriage-union that this intercourse [that of its confinement] is sufficiently prolific...family establishments alone are fitted to perpetuate a succession of generations."<sup>24</sup> The point where Malthus

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<sup>21</sup> Malthus, T. R. (1798), *An Essay on the Principle of Population as it Affects the Future Improvement of Society with Remarks on the Speculations of Mr. Godwin, M. Condorcet, and other writers* (J. Johnson, London), p.311.

<sup>22</sup> *The Crisis*, (1798) (Unpublished pamphlet).

<sup>23</sup> Malthus, *Population*, p.313.

<sup>24</sup> Paley, W. (1836), *The Works of William Paley* (J.J. Woodward, Philadelphia), p. 151.

unashamedly rejected the Paleyan position was on the issue of charity. In *Principles* the case is put forward that

...the poor have a claim founded in the law of nature, which may be thus explained: All things were originally common. No one being able to produce a charter from Heaven...There were reasons for mankind's agreeing upon a separation of this common fund...But this separation was made and consented to upon the expectation...that everyone should have left a sufficient for his subsistence.<sup>25</sup>

Paley goes on to say that "...the Christian Scriptures are more copious and explicit upon this duty than upon almost any other."<sup>26</sup> To scholars of Paley, such dalliances with radicalism of an almost Spencian<sup>27</sup> nature were not uncommon in his work. Indeed, the most famous example in this regard is his metaphor of "...the flock of pigeons in which the mass slave and starve to maintain one in luxury."<sup>28</sup> Warned by his friend John Law (son of Edmund Law, Bishop of Carlisle and later an Irish bishop himself) that publishing such statements would block his path to future preferment in the Church, Paley was insistent that such a passage stand. However, he would go on to argue why, despite this, the principle of property was a sound one and that private charity ought to be actively encouraged for the relief of the poor alongside, and not as a substitution for, the support offered via the Poor Law.<sup>29</sup> This was the typically

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<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> This refers to the ultra-radical political thinker Thomas Spence (1750-1814). Born into poverty in Newcastle, the self-taught Spence moved to London where he entered the book-trade and began to associate in radical political circles. In 1775 he penned his most famous work; *Property in Land, Everyone's Right*, which advocated for the creation of self-contained parochial communities in which land was held in common by the parish, universal suffrage (both men and women) and the development of a 'social guarantee' which ensured that those unable to work would receive an income. He also published pamphlets on language reform and on children's rights. He died impoverished in London.

<sup>28</sup> Hole, R. (1989), *Pulpits, Politics and Public Order in England, 1760-1832* (Cambridge University Press, Cambridge), p. 75.

<sup>29</sup> Horne, T. A. (1985) 'The poor have a claim founded on the law of nature': William Paley and the rights of the poor' *Journal of the History of Philosophy* 23 (1):51-70 (1985). p. 59.

orthodox Christian position which would have been so widely ingrained as to need no elaboration.

The position subsequently advanced by Malthus however would effectively undermine the entire basis of this traditional understanding of Christian benevolence. Whether deliberately provocative or simply purely calculative the *Essay* took the line that regardless of whether relief was granted to the poor through voluntary or legislative mediums it was ultimately counter-productive. Indeed, Malthus even went so far as to press the claim that the administration of relief actually served only to further extend and entrench poverty within society. He wrote;

A collection from the rich of eighteen shillings in the pound, even distributed in the most judicious manner, would have a little of the same effect...no possible contribution or sacrifices of the rich, particularly in money, could for anytime prevent the recurrence of distress among the lower members of society.<sup>30</sup>

On Poor Law legislation itself he commented that;

The Poor Laws of England tend to depress the general condition of the poor... Their first obvious tendency is to increase population without increasing the food for its support. A poor man may marry with little or no prospect of being able to support a family in independence. They may be said therefore in some measure to create the poor which they maintain.<sup>31</sup>

Although he did concede that the Poor Laws were "...undoubtedly instituted for the most benevolent purpose but there is great reason to think that they have not succeeded in their intention."<sup>32</sup> Malthus would further sharpen this repudiation of the Paleyan (orthodox) position in the second edition of the *Essay* published in 1803. Starkly contrasting Paley's quintessentially paternalistic analogy of the nature of

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<sup>30</sup> Malthus, *Population*, p.27.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid*, p. 30.

society being that of a "...banquet given for free-holders in a district [where] no one need ask permission to eat, for the food and drink were provided for that purpose."<sup>33</sup>

Malthus offered the following distinctly un-paternalistic foil;

A man who is born into a world already possessed, if he cannot get subsistence from his parents on whom he has a just demand, and if the society do not want his labour has no right to the smallest portion of food, and in fact, has no business to be where he is. At nature's mighty feast there is no vacant cover for him.<sup>34</sup>

Such was the extent of this provocative and in many ways unnecessary reassertion of Malthus's argument of the moral bankruptcy of traditional Christian doctrine of charity that he was very reluctantly compelled to drop the offending passage by his outraged fellow clergymen. Despite the attendant controversy surrounding Malthus' arguments Paley would come to accept the broader central message, if not the tone, of the *Essay*. G.W. Meadley, in his *Memoirs of Dr. William Paley* (published 1809), gave an account of this conversion;

Mr Malthus' Essay on Population had recently thrown light on a subject, which Dr. Paley had discussed with his usual acuteness, before the important facts, by which the author's great argument is supported, had been so minutely examined. But he spoke with much approbation of the ability displayed in the Essay; in opposition to the common notion, that an increase of inhabitants is invariably beneficial.<sup>35</sup>

Malthus took immense pride in winning over Paley to his argument. Indeed, almost as much as he did in winning over William Pitt the Younger.<sup>36</sup>

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<sup>33</sup> Paley, E. (1825) (ed.), *The Works of William Paley, DD*, (Rivington, London), p. 79.

<sup>34</sup> Malthus, (1803) *Population*, pp. 531-532.

<sup>35</sup> Meadley, G. W. (1809), *Memoirs of William Paley, DD* (Graham, Sunderland), p.152.

<sup>36</sup> James, P. (1979), *Population Malthus: his Life and Times* (London, Routledge), p. 53.

In deciding to align himself with the Malthusian position Paley was not unaware of the continuing opposition to it. As a theologian and an intellectual he took it upon himself to dedicate the remaining years of his life (he would succumb to cancer in 1809) to sanitizing the Malthusian theodicy<sup>37</sup> so as to ensure its greater currency within the broader theological discourse. To this end Paley would endeavour to incorporate a more acceptable formulation of Malthus' theory into the wider gamut of traditional orthodox theodicy. The result was Paley's most famous work *Natural Theology*. Paley conceived of his final work as the last instalment of his complete theological narrative which had been completed in reverse order. The purpose of *Natural Theology* was to set out the case for the existence and attributes of the deity from the observations of nature. His works *View of the Evidences of Christianity* (1794) and *Horae Paulinae* (1790) were to illustrate 'a future state of rewards and punishments' from Holy Scripture, whilst *The Moral and Political Philosophy* (1785) sets out the "...principles of private and political conduct most conducive to future rewards."<sup>38</sup> Taken together these works chart the complete teleological structure of Paleyan thought.

Throughout *Natural Theology* Paley works from the orthodox assumption that the universe is "...beneficently governed by 'general laws' but these, however well set and constituted, often thwart and cross each other, from which frequent particular inconveniences will arise;"<sup>39</sup> an understanding shared by Malthus. Paley identifies bodily pain as the first of these inconveniences. Pain, disease, death and all other physical evils are shown to be justified and consistent with the divine order contrived by a benevolent Creator on the grounds that, quoting Balguy; "...the sensation of pain

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<sup>37</sup> Theodicy refers to the examination of why God allows for the manifestation of evil in the world.

<sup>38</sup> Waterman, A. M. C. (1991), *Revolution, Economics & Religion: Christian Political Economy 1798-1833* (Cambridge University Press, Cambridge), p.123.

<sup>39</sup> Paley, *The Works of William Paley*, pp. 342-343.

is a noble contrivance for good, and strongly argues benevolence of the Creator, rather than the contrary. It is indeed the grand expedient to prevent those inconveniences, which, had it not been for this contrivance, must have been inevitable.”<sup>40</sup> Both Paley and Malthus subscribed to the argument first set out by Abraham Tucker that the purpose of much physical evil is to promote human development.<sup>41</sup>

A world furnished with advantages on one side, and wants and inconveniences on the other, is the proper abode of the free rational and active natures, being the fittest to stimulate and exercise their faculties...A world in which nothing depended upon ourselves...would not have suited mankind.<sup>42</sup>

This conceptualisation of pain as a key developmental driver of humanity was linked to Paley’s definition of true happiness. He argued in *Principles* that happiness could never really be found in the physical; exemption from pain, labour or business, nor from the satisfaction of vanity; the accumulation of wealth and the achievement of a higher social station. Instead, it was to be found in the “...exercise of the social affections, exercise of our faculties in pursuit of some engaging end (‘engagement’ is everything), good habits and good health, body and spirits.”<sup>43</sup> D.L. Mahieu in his forward to the Liberty Fund edition of *Principles* explored this definition further. He wrote “[for Paley] happiness consisted in living by a standard that was self-imposed and self-realised. It was self-imposed because the choice of activity remained radically individual. Unlike the phenomena of nature which God created with a specific purpose, each person chose their own purpose in life, their final cause.”<sup>44</sup> For Paley, man was an individual moral agent who must seek to transcend (indeed almost reject) the base

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<sup>40</sup> Balguy, J. (1785), *Essay on Redemption* (Winchester), p. 266.

<sup>41</sup> Abraham Tucker (1705-1774) is remembered primarily for his work *Light of Nature Pursued* (1763).

<sup>42</sup> Paley, (1825), *The Works of William Paley*, p. 350.

<sup>43</sup> *Ibid*, p. 352.

<sup>44</sup> Paley, W. (2002), *The Principles of Moral and Political Philosophy*, Foreword by D.L. Le Mahieu (Indianapolis, Liberty Fund), p. xv.



desires of the individual in order to achieve true happiness. Instead, this was to be found in the willing participation of the individual in work to which end was the greater welfare of society. This itself then created a circle of virtue for by the actions of the individual both they and the wider community were improved; and through this improvement were made happy. Thus, happiness for Paley could be understood as the pursuit of enlightened self-interest. Paley would reproduce these pronouncements almost to the letter in his 1790 sermon (preached at Dalston), subsequently reproduced as a pamphlet entitled *Reasons for Contentment* and used as a riposte to Thomas Paine's *Rights of Man*.

Referencing his new Malthusian position Paley recognised that many fonts of human happiness could not be made subject to scarcity. He cited the examples of good government, religion and a sense of security. In other words, the examples chosen by Paley were those institutions which served to forge both an individual and a collective sense of the ontological. These were structures which together acted as the crucible of community identity, a necessary pre-requisite for the emergence of an enlightened self-interest. Adam Smith had made a similar argument in his earlier *Theory of Moral Sentiments* (1759) – with which it is likely Paley was familiar<sup>45</sup> - when he wrote

In what constitutes the real happiness of human life the poor are in no respect inferior to those who would seem so much above them. In ease of body and mind all the different ranks of society are nearly upon a level and the beggar, who suns himself by the side of the highway, possesses that security which kings are fighting for.<sup>46</sup>

Smith also argued that

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<sup>45</sup> Waterman, *Revolution, Economics & Religion*, p.130.

<sup>46</sup> Raphael, D. D. & MacPhie, A. L. (1976) (eds.), *The Theory of Moral Sentiments* (Adam Smith: 1759) (Clarendon, Oxford), p. 185.

...the pleasures of wealth and greatness, although illusionary, served an important purpose...[it] rouses and keeps in continual motion the industry of mankind. The poor are enticed to it by labour. The natural selfishness and rapacity of the rich is harnessed by it, and they are led by an invisible hand to advance the interests of society.<sup>47</sup>

As poverty was for Malthus a stick; so, equality for Smith was the carrot. It was by means of these two elements that mankind was propelled, despite its brutish inertia, towards the higher possibilities of earthly existence. Paley, more inclined to emphasise the inherent goodness of God, put this analysis in a slightly different way. "Money is the sweetener of human toil; the substitute of coercion; the reconciler of labour with liberty. Distinctions of property and rank are subjects much more of competition than of enjoyment...It is not...by what the Lord Mayor feels in his coach, but by what the apprentice feels who gazes at him, that the public is served." In making this argument, Paley sought to deal with the traditional focus of theodicy (namely the existence of civil evil). However, he later takes a slightly different – although inter-related – direction, he turns to the appearance of 'chance' in the divine order. The importance of this part of his work lies in his discussion of the 'state of probation' as the key teleology of man. This formed the second proposition to which Malthus disagreed.

Essentially, Paley offered a slightly more optimistic interpretation of the orthodox understanding of the 'state of trial' than that originally advanced by Joseph Butler, Bishop of Durham,<sup>48</sup> in his acclaimed *The Analogy of Religion, Natural and Revealed, to the Constitution and Course of Nature*.

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<sup>47</sup> Ibid, pp. 183-185.

<sup>48</sup> Joseph Butler (1692-1752); Bishop of Bristol, 1738-1750; Dean of St. Paul's, 1740-1750; Bishop of Durham, 1750-1752, was a noted English theologian and scholar. A critic of Hobbes and Locke, his works would inspire the likes of David Hume, Adam Smith, Henry Sidgwick and John Henry Newman. His '*The Analogy of Religion; National and Revealed*' - would run through fourteen editions between 1736 and 1798.

God rewards and punishes humans in this life (but particularly in the latter) and hence that there is nothing incredible in his doing so hereafter. In the present state all which we enjoy and a great part of what we suffer is put in our own power. For pleasure and pain are the consequences of our actions. For example, vice and folly and extravagance lead to poverty and sickness, remorse and anguish, infamy death.<sup>49</sup>

Paley instead advanced this position:

...It is actually best for us, in this life, that there should be such a low correlation between 'happiness' and 'virtue,' 'vice' and 'misery.' For if this life were simply a state of 'retribution' (perfect correlation between 'vice' and its consequent 'misery'), then we could not actually succour or relieve, without disturbing the execution<sup>50</sup>...human benevolence would only stand in the way of justice.<sup>51</sup>

Paley's constitutional inclination towards the inherently good and virtuous nature of man attracted hostility from certain quarters – especially among the more 'serious' Evangelicals. They charged him with a failure "...to advance those tendencies of virtue to provide happiness and of vice to produce misery...so unanswerably enforced by Bishop Butler."<sup>52</sup> In analysing the relative impact of *Natural Theology* Waterman posited that it came too soon after the first *Essay* and too late in Paley's own career to be more than a preliminary sketch. It would be left to younger men to "...carry on the work of forging the ideological alliance of Christian theology and the new political economy of scarcity. The first to begin was Thomas Malthus himself."<sup>53</sup> The second edition of Malthus' *Essay* (published in 1803) included key 'correctives' in his argument which had been largely compelled upon him by both the pressure of his clerical

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<sup>49</sup> Halifax. S. (1844) (ed.), *The Works of the Right Reverend Father in God, Joseph Butler* (Oxford, Oxford University Press), p. 39.

<sup>50</sup> Paley, *The Works of William Paley*, p. 45.

<sup>51</sup> *Ibid*, Vol V, p.371.

<sup>52</sup> *The Christian Observer* (June: 1803), p. 373.

<sup>53</sup> Waterman, *Revolution, Economics & Religion*, p.135.

colleagues and by the ongoing work of Paley. The impact of the latter would grow steadily stronger in subsequent editions (1806, 1807 & 1817). Taken together Malthusian economics and Paleyian theology represented the principal intellectual foundations of Christian Political Economy, and it was upon these foundations that Sumner's superstructure would be erected.

### ***Sumner, Poverty and Divine Inequality***

Entitled *A Treatise on the Records of Creation; with particular reference to the Jewish history and the consistency of the principle of population with the wisdom and goodness of the Deity*, Sumner's work started its life as an entry in a newspaper essay competition composed by the then thirty-six-year-old Evangelically inclined assistant master at Eton. The original 1807 advertisement promised a handsome financial prize for a piece of work on;

The evidence that there is a Being, all-powerful, wise and good, by whom everything exists; and particularly, to obviate difficulties regarding the wisdom and goodness of the Deity; and this, in the first place, from consideration independent of written Revelation of the Lord Jesus Christ; and from the whole, to point out the inferences most necessary for and useful to mankind.<sup>54</sup>

In what would be an episode pregnant with historical irony, Sumner's submission would be judged only worthy of the second prize of £400. The far more substantial sum of £1200 for first place went to the now obscure William Laurence Brown<sup>55</sup> of Aberdeen. Despite the undoubted credentials of Brown, and his competition success, it would be the second placed Sumner who would emerge from the comfortable

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<sup>54</sup> *The British Critic* (2/1816), p. 333.

<sup>55</sup> William Laurence Brown (1755-1830) was a Scottish minister, the Professor of Divinity (and later Principal) at Marischal College, Aberdeen, 1795-1830, and a Dean of the Chapel Royal (Scotland), 1804-1830.

obscurity of scholar-clergyman to eventually ascend the throne of St. Augustine in thirty-two years.

Put in the simplest of terms, Sumner's reworking of the Malthusian theory along more acceptable Christian lines focussed primarily upon adjusting the relative weight attached to 'positive' and 'preventative' checks. Malthus had appeared to suggest that the influence of the cruel and destructive 'positive' checks performed the more dominant role in regulating population (which in effect damned man as merely the passive recipients of the harvest of sin). In contrast Sumner postulated a far more optimistic, less deterministic, view whereby the encouragement of man's virtue (in the shape of 'preventive' checks) would far better address the problem of population growth whilst at the same time not undermine the tenets of Christian hope.

However, in the refocusing of the Malthusian argument along a more optimistic belief in man's capacity for virtue, Sumner did not deny some of the other, less optimistic, general Providential truths that had been revealed to man; that is the divinely designed mechanism governing the natural order of the world and the unequal nature of human society to which man is subject and cannot escape. Very much in tune with the prevailing opinions of the day, *Records* acknowledged that social and economic inequality is a permanent feature of civilised society, indeed the existence of a large number of poor people was actually identified as a key component of a well constituted society. The principal reason for this, as set out by Sumner, was that without inequality there can be no socio-economic progress. He wrote, "...inequality sharpens and exercises the natural powers of man, and that this exercise of the natural powers brings the human species to that degree of excellence which He who made him

capable of it, intended him to attain.”<sup>56</sup> And that “[the] state of civilisation which admits and consists of a gradation of ranks and of unequal conditions, is precisely the situation which affords to man the best opportunities of performing the purposes of his being.”<sup>57</sup> Citing the example of the Native Americans and some of the tribes of Peru, Sumner pointed to the fact that the natural economic abundance of their environment allowed for the practice of absolute equality, but that this had had the effect of stifling their progress to civilisation. Advancement would only come with the onset of scarcity and the necessity of labour; “Man is easily brought and quickly reconciled to labour; but he does not undertake it gratuitously. If he is in possession of immediate ease, he can only be induced to relinquish that present advantage by the allurements of expected gain.”<sup>58</sup> Sumner therefore does not consider it “...presumptuous to conclude that the situation best calculated to improve, by exercise the faculties of man, is civil society, [being formed] as it does of unequal fortunes, ranks and conditions.”<sup>59</sup>

Directly linked to this concept of inequality as a catalyst for social progress was the more superficially religious idea that poverty acted as a stimulus to individual moral discipline, Sumner, and many others (both lay and clerical) within the broader Evangelical sphere of influence were increasingly critical of an eighteenth century religious atmosphere they perceived to be lacking in a proper degree of sincerity, coupled with growing affluence, had served to distract man from the reality that one’s existence upon the earth was meant to be both temporary and testing. The mortal life was conceived as a constant battle against temptation and sin, the aim of which was to fight off these weapons of the Enemy through strict moral discipline. Many had

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<sup>56</sup> Sumner, *Records of the Creation*, p. 60.

<sup>57</sup> *Ibid*, p. 37.

<sup>58</sup> *Ibid*, p. 48.

<sup>59</sup> *Ibid*, p. 83.

simply forgotten that "...virtue [was] an active and energetic habit, arising from the various relations of human life, and exercised in the practice of real duties; so that, as you increase the number and variety of those relations, you enlarge its sphere of action."<sup>60</sup> When virtue was understood in this way it fulfilled the same role as social progress in the Providential nature of inequality. According to the *Record*, "...the truth is, however, that the inequality of conditions, which is the foundation of civil society, affords not only the best improvement of the human faculties, but also the best trial of the human virtues; it is the nursery most suited to their formation, and the theatre most fitted for their exercise."<sup>61</sup> The call was for a renewed vigour in the practice of individual virtue and moral discipline and the need for a more conscious recognition of the reality that the earth was not Paradise. Man had forfeited his place in Paradise by the betrayal of God, earth became the testing ground where one might strive to reclaim admission to that Heavenly realm. By implication this meant that man had an obligation to labour and to practice temperance and sexual restraint – in particular the poor. However, the rewards for such virtues could be corporeal, as well as divine. For it was ordained that by these virtues man could better his position in society through the gradual accumulation of wealth and property; which in itself contributed to the advancement of wider society. This was the very definition of enlightened self-interest, a narrative which chimed well with an equally confident wealthy laity who looked forward to even greater improvements in the future. Of course, there would be occasions when this advance might be slowed or even arrested, but this could only ever be the result of poor decision making or unnecessary state interference with these, apparently, God-given laws of nature.

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<sup>60</sup> *Ibid*, p. 87.

<sup>61</sup> *Ibid*, p. 85.

*Records of Creation* eloquently set out a doctrine in which inequality was both inevitable and beneficent. Any attempt to humanly alter this divinely ordained reality; e.g. through legislative intervention, was not only futile and counterproductive but could also amount to a challenge to Providence itself. However, in making inequality the principle driving force in human development it could be argued that Sumner (building on the work of Paley and Malthus) was implicitly weakening the notion of absolute moral equality as inspired by the Gospel; out of which sprung the notion of the 'social man' (that is that man was created by God to live in community/society). As detailed above, this had been a theological principle which had sat very comfortably within the Church in the context of the latter part of the seventeenth and much of the eighteenth centuries. This weakening took place at two levels.

In attacking legislative intervention as essentially ineffective (it being doomed to failure as it conflicted with the divine make up of society) Sumner undermined the idea of social/communal intervention – this is an intervention based upon a commonly accepted and objective moral good (e.g. the prevention of starvation) within a society – as actually serving to morally damage the recipients/beneficiaries because the 'objective' (or socially determined) moral good was too far removed from the particular circumstances in which such intervention was required. In other words, it did not discriminate sufficiently, and therefore contributed to the propagation of vice as well as support the virtuous. This distinction was far more easily made when benevolence was reduced solely to the private sphere of the individual or small group. In this analysis collective moral action (in the shape of institutional welfare) was fundamentally failing those it set out to assist, whilst individual charitable giving was the only truly effective way to provide support for another. Collective moral agency was thus rendered as not 'moral' (in the very definite sense of the word) at all. Similarly,



in propagating the Butlerian adjunct that the teleology of man was that of a state of probation once again placed the onus on the individual as the principal moral agent, considered independently of the community/society to which they belonged. Hunger, pain etc were construed as naught but the fault of design and individual sin. Man's relationship to man was no longer one of corporate/community loyalty but of individual self-interest which, whilst helping to advance civilisation, inevitably led to casualties.

As has been asserted above, the real significance of Sumner's work lies not in the specific content, this being very much part of an already 'live' intellectual/theological debate raging both among churchmen and secular intellectuals, but rather in the impact that the work had in shifting attitudes within the Church. Sumner's work "...proved to the satisfaction of many clergymen and laymen alike that the lessons of the *Essay on Population* were not incompatible with those of Scripture"<sup>62</sup> and that while Malthus had formulated his theory on the back of the works of the likes of Adam Smith, David Hume, Robert Wallace, Joseph Townsend and Richard Price "...Sumner felt a few loftier sources could only help the argument. Their addition allowed him [and many others] to endorse the validity of Malthus's conclusions."<sup>63</sup> Although there is little evidence to suggest that many clergymen actually studied Malthus directly, "...there is considerably more evidence that, after 1816, Church leaders learned their Malthus from Sumner for it was the *Records of Creation*, rather than the *Essay on Population*, which they often cited in discussions about the relationship of the Church to overpopulation and poverty."<sup>64</sup> Such an opinion is corroborated by Malthus himself in the fifth edition of his work, published in 1817;

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<sup>62</sup> Soloway, R. A. (1969), *Prelates and People: Ecclesiastical Social Thought in England: 1783-1852* (London, Routledge & Kegan Paul), p. 95.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*, p. 101 – Reference made to work in *The Gladstone Diaries: 1825-1832:1833-1839* by Gladstone, W. E. (1969) (Oxford, Oxford University Press), p. 337. Sumner's critical review of Malthus

[Civil evils] ...occasioned by the principle of population has lately been pursued with considerable ability in the Work of Mr Sumner on the Records of the Creation; and I am happy to refer to it as containing a masterly development and completion of views of which only an intimation could be given in the Essay.<sup>65</sup>

A number of favourable reviews in various periodicals and publications provided further evidence of the extent to which *Records* had begun to circulate more widely within the Church and among churchmen;

The High Church aligned *British Critic* considered Sumner as "...the first to develop, in its full extent, the additions [which the principle of population] afforded to the proofs of the comprehensive and infinite wisdom of the Creator."<sup>66</sup>

*The British Review* spoke favourably of Sumner's "...vindicating Mr. Malthus from the imputations...unjustly thrown upon him."<sup>67</sup>

*The Christian Observer* though not entirely happy with Sumner's "...view of the scheme of redemption" nevertheless commended his "...good sense...clear judgement and comprehensive observation."<sup>68</sup>

*The Monthly Review* welcomed his "...important service to the cause of truth."<sup>69</sup>

Even the *Quarterly Review* which at that time maintained its distinctly Tory-paternalistic hostility to Malthusian theory, conceded that "...although Mr. Sumner has

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published in *Quarterly Review* Vol. XVII No. 24 (July, 1817) *The Quarterly Review* had one of the highest circulations of periodicals during the period (J.J. Sack, J.J. (1993) *From Jacobite to Conservative: Reaction and Orthodoxy in Britain c. 1760-1832* (Cambridge, Cambridge University Press), p. 19).

<sup>65</sup> Malthus, T. R. (1817), *Population*, p. 425.

<sup>66</sup> *The British Critic* (2/1816), p. 477.

<sup>67</sup> *The British Review* (1817), p. 492.

<sup>68</sup> *The Christian Observer* (1817), pp. 185-187.

<sup>69</sup> *The Monthly Review* (1/1817), p. 297.

brought himself to admit the truth of Mr. Malthus's principles, he can yet have derived from them the same conclusions respecting the wisdom and goodness of God which we have ourselves derived from what we conceive to be a refutation of those principles."<sup>70</sup>

William Otter<sup>71</sup> (whose daughter married Malthus' son Henry) recalled how "...little appeal the comfortless prognosis of the *Essay* had to churchmen until Bishop Sumner revealed a bright side to this law of nature."<sup>72</sup> Otter went on to say that

...they who have read the...Records of Creation will remember how ingeniously and beautifully he has shown that, in the hands of a gracious Providence, this principle [population pressure] is made subservient to the most beneficial and improving ends being the great moving cause which, by the necessities it creates, and the fears and hopes it suggests, excites the best energies of mankind into action, over comes their natural indolence, and gives spirit and perseverance to their most valuable labours.<sup>73</sup>

The influence of Sumner's work in helping to re-shape the parameters on which the nineteenth century Church would respond to the problem of growing pauperism was at once profound and highly divisive. With leading thinkers within the Church becoming increasingly prepared to accept the argument that the traditionally accepted expression of Christian charity/benevolence was actually serving to compound the problem of pauperism; this changing attitude would herald a significant change in how the Church conceived of its role within the provision/administration of welfare. And it was in this changing understanding of its role that would have the most serious impact in its relationship with the people at large (via the parish).

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<sup>70</sup> *The Quarterly Review* (1816-17), p. 50.

<sup>71</sup> William Otter (1768-1840), first Principal of King's College, London; 1831-1836, and Bishop of Chichester; 1836-1840.

<sup>72</sup> Otter, W. *Memoir of Robert Malthus et al Malthus, T. R. (1836) Principles of Political Economy Considered with a View to their Practical Application, 2<sup>nd</sup> ed*, p. xlvii.

<sup>73</sup> *Ibid.*

### ***The Deserving and the Undeserving Poor***

Much of this attitudinal change can be identified in Sumner's conscientious rejection of the idea that there was anything essentially wrong with society as it was constructed at the time; the human order was divinely ordained (socially and economically) and could therefore not be safely (or legitimately) altered/interfered with by human design. As a consequence of this, the problems confronting that society, in this instance the prevailing issue of rising pauperism, must therefore be the fault of the poverty-stricken masses that, through ignorance and/or irreligion, were unable to understand the very sound economic reasons for their continued misery. At the centre of this assertion, Sumner believed, was an unhelpful confusion (by both rich and poor alike) between two very different conceptions of poverty; poverty as a social class and poverty as an economic condition. Put another way, this distinction could be understood as one between the 'deserving' and the 'undeserving' poor. Sumner's attempts to draw out this distinction were certainly not new in terms of social and theological attitudes to poverty and to relief. From the very institution of the 'Old' Poor Law system during the 1530s the principle at the heart of the legislation was the need to enforce the obligation to work among the able-bodied (in other words the disciplining of labour), whilst separating those who could not (the 'impotent poor') through illness, disability, infirmity or infancy. Out of such a separation arose the eponymous figure of the 'vagabond' or the 'vagrant', defined in successive legislative enactments from 1349 through the 1500s up to 1824 as "...[a] Person being able wholly or in part to maintain himself or herself, or his or her family, by work, or by other means and wilfully refusing or neglecting so to do by which refusal or neglect he or she or any of his or her family...shall have become chargeable to any Parish."<sup>74</sup> The definition was clear.

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<sup>74</sup> Text of Vagrants' Act 1824.

However, where the confusion set in, according to Sumner, was in the response of the parish authorities to the issue of 'vagrancy' (the 'undeserving poor'). Under the terms of the Old Poor Law the parish authorities took it upon themselves to 'set the poor to work' – which was achieved through various species of forced labour. This created a nexus of social relations in which the poor themselves were dispossessed of 'free agency' and were instead to be the passive dependents upon the parish authorities. This was a relationship which was in part rooted in the mutual recognition of the irregular (or at least seasonal), often unstable, nature of employment in many areas, but also of a parochial organisation in which there was a recognition that social and economic relations within the parish community were bound up within a constant "interchange between the views of the ruling and rate-paying classes, and lower-order expectations."<sup>75</sup> Thus, 'poverty,' or being 'in poverty' (i.e. being without legitimate work but still willing) became an often locally determined category which the parish officials had to relieve by whatever means they saw fit.<sup>76</sup> In Sumner's analysis (via Malthus) the obligation of the parish authorities to enforce labour discipline through active intervention in the labour market (e.g. the roundsmen system<sup>77</sup>) and through a subjective – communally determined - definition of poverty relief had the effect of both distorting the divinely ordained functionality of economic principles but also of robbing the labouring poor of agency or responsibility to take all possible steps to avoid the descent into indigence – the term preferred by Malthus.

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<sup>75</sup> Snell, K. D. M. (1987) *Annals of the Labouring Poor, Social Change and Agrarian England 1660-1900* (Cambridge, Cambridge University Press), p. 105.

<sup>76</sup> See Sir William Young's Amendment Act 1795 and Whitbread's 'Relief of the Poor Bill' 1796.

<sup>77</sup> Established under the Elizabethan Poor Law (1601), the roundsman system was a form of organised labour exchange in which the parish agreed to pay local employers to take on additional workers from amongst the parish poor.

As a consequence, they failed to understand that poverty; meaning the existence of a labouring class, was a natural constituent part of the divinely ordained human order. Whereas, poverty as an economic condition – like Malthus Sumner preferred to use the term *indigence* – was an entirely avoidable situation brought about through irresponsibility and/or extravagance on the part of the individual. Therefore, in Sumner’s analysis, the principal duty of the poor was not necessarily to seek to rise up out of this class; rather it was to take all necessary steps to avoid the descent into indigence. In pure Malthusian logic, so long as members of the poor exploited their divine gift of free-will and pursued reckless and imprudent lifestyles – which included marrying young and producing more children than they could ever hope to support independently – indigence would continue to weigh heavily upon society. And while the system of poor relief continued to operate without discrimination, such irresponsibility would continue to be subsidised and perpetuated further. The important point here is *discrimination* or more appropriately in this instance, *regulation*. Sumner did not advocate a complete withdrawal of a system of poor relief; that would be contrary to the virtues of Christian charity and benevolence. Rather he sought to argue for a system that was much more highly regulated and geared principally towards to the promotion of moral restraint.

Although the majority of the bishops remained silent on this issue (which one could argue was at the very least a sign of tacit approval), a number of lesser ecclesiastics were prepared to offer their public support for Sumner’s position. For example, The Venerable Charles Goodard,<sup>78</sup> Archdeacon of Lincoln is recorded as saying that;

Religion supposes that all according to their stations and in some way or other (the poor especially), should ‘work that they may eat;’ in other words, it receives into its code, industry on

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<sup>78</sup> Charles Goddard (1770-1848), Archdeacon of Lincoln; 1817-1848.

the part of Christians as also the proper concomitant virtues of temperance and frugality, as express duties; and if of late years, and in contradiction to their original intention, and in fact to their earlier operation, the laws of this Country have not concurred with this, the religious view of the subject, [they] have presented to the poor facilities for eating without work...<sup>79</sup>

Originally established out of Christian compassion in order to forestall the threat of starvation and widespread unrest during the economically turbulent final years of the reign of Queen Elizabeth I, the lament of many was that, after three hundred years in operation, the poor relief system in general had become corrupted into a customary *right* by the poor and not a *privilege* to be dispensed only as necessity demanded and always with the utmost restraint and caution. This of course had a grave impact on the attitudes of the poor towards the receipt of relief; no longer did they necessarily feel that deep sense of gratitude or humility which was traditionally believed to have been indicative of the virtuous labourer. Commentators at the time were quick to point to the so-called Speenhamland System (sometimes known as the Berkshire Bread Act) as an example of the deleterious effect of a system which appeared to accept welfare dependency as to a degree inevitable in the normal functioning of the economy. Devised at the meeting of 'twenty discreet persons' (justices, clergy and landowners) at the Pelican Inn in Speenhamland parish (now a suburb of Newbury), Berkshire, on 6th May, 1795, the resultant 'Speenhamland system' established a sliding scale of welfare support based on the fluctuating price of bread and thus sought to guarantee a worker (and his family) a basic minimum wage supplemented via the poor rate. Taking the price of one 'gallon' loaf (weighing 8lbs 1oz) as the economic minimum, the

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<sup>79</sup> The Venerable Charles Goddard, *District Committees and National Schools. Two Sermons Preached...1817* (Windsor, 1818), p. 23 – Allusion here to Thessalonians III 10-13 'For even when we are with you, this we commanded you, that if any would not work, neither should he eat. For we hear that there are some which walk among you disorderly, working not at all, but are busybodies. Now them that are such we command and exhort by our Jesus Christ, that with quietness they work, and eat their own bread. But ye, brethren, be not weary in well doing.'

Pelican Inn meeting came to the conclusion that an average worker needed the sum of 3s to support himself, plus a further 1s 6d for each member of his household. When a loaf cost 1s 4d, the worker was entitled to the sum of 4s to himself plus 1s 10d for his wife, children and other dependents. The wage-supplement varied by 3d to the worker and 1d to his family for every 1d the price of a loaf rose or fell beyond a shilling. Now it is important to note that the 'Speenhamland System' was not new in 1795, indeed various such schemes had been operating in Dorset, Norfolk, Buckinghamshire and Oxfordshire since at least the 1750s at the level of the individual parish. Where Speenhamland differed was that it established for the first time a fixed formula upon which all future wage-subsidies would be paid; a formula which could now be exported and applied in other parishes/counties should the magistrates choose to adopt it. What had before been a locally-developed parish-based response to a period of economic dearth had now been formally systematised and gained status as an orthodoxy of socio-economic policy (and by extension adopted as a 'right' by labourers within the parish community).

Even after 1819, when cost of relief began to fall and employment increased once again, the Church continued in its campaign to press for an ever more *discriminating* and more highly regulated system of relief. It was clear that Sumner's ideas were taking firmer root within the Church. In 1822, Edward Maltby,<sup>80</sup> Prebendary of Lincoln and future Bishop of Durham, warned that "...the lazy and designing are more content that ever to exploit that bounty which was intended for the benefit of the industrious and the comfort of the afflicted."<sup>81</sup> In seeking theological support for such a position

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<sup>80</sup> Edward Maltby (1770-1859); Prebendary of Lincoln, 1794-1831; Bishop of Chichester, 1831-1836; Bishop of Durham, 1836-1855 (retired). Noted for his Whiggish political allegiance, and a close friend of Lord John Russell. Maltby was the sole Whig voice on the episcopal bench during the Reform Bill crisis.

<sup>81</sup> Maltby, E. (1822) *Sermons of Edward Maltby, DD* (1822), p. 70.



churchmen called upon St. Paul the Apostle's injunction that "...they who would not contribute their share of industry to the community, should not receive any advantage from the bounty of the public."<sup>82</sup> Like others Maltby was prepared to concede that the principle of support for the needy was indeed one mandated by God. However, he also shared the belief that the present system had degenerated into an "...excuse for the idle; or...a resource to busybodies; or an encouragement to the discontented."<sup>83</sup> On this last point, Maltby was far from alone in attributing the disturbances (in part at least) of the early post-war years to have been stirred up

...by lazy troublemakers who, instead of engaging in daily labour has, as a result of being subsidised by the rates, been able to wander about doing mischief... [By applying for relief unnecessarily and refusing to exert] their utmost pains to procure a maintenance, they only increased the amount of general difficulty.<sup>84</sup>

This opinion was undoubtedly coloured by Maltby's experience as a Huntingdonshire magistrate which had led him to the conclusion that the poor were, in general, no longer possessed of "...a becoming pride in a poor man not to be indebted to the public bounty for that which his own honest and unremitting labour could procure."<sup>85</sup> Hostile and severe, to many in the Church it appeared as though the poor were becoming the *enemy*; a mob indifferent both to their own welfare and to that of the community at large.

### ***Edward Copleston, Laissez-Faire, and the Gold Standard***

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<sup>82</sup>Ibid. A paraphrasing from the Second Epistle to the Thessalonians 3:10.

<sup>83</sup> Ibid, pp. 75-76.

<sup>84</sup> Ibid, pp. 83-84.

<sup>85</sup> Ibid.

Arguably, more influential in this regard was Edward Copleston.<sup>86</sup> He shared the belief in the coalescence between political economy and Scripture, and was supportive of Sumner's analysis. Copleston wrote that he was "...not only an advocate, but an able and ingenious expositor of the whole system – one who has beautifully developed the high moral and religious blessings which lay involved in this germ and has dissipated that gloom which in the eyes of many candid persons still seemed to hang over that discovery,"<sup>87</sup> but remained unconvinced that the poor were always entirely to blame for their situation. Although it is interesting to note that the implications of Copleston's arguments would be equally damaging and painful to the poor.

Copleston pursued two separate lines of argument. Unlike his contemporaries, Copleston's studies in political economy had led him into the belief that the relationship between poverty and socio-economic policies might actually be far more intertwined than had originally been thought. Having made a close study of much of the available economic literature of the day (in particular the works of David Ricardo), Copleston settled on the conclusion that the labouring poor, most especially those employed in agriculture (which still made up the vast bulk of employment for the working population at this point), were actually victims of a distorted economic model whereby wages did not keep pace with rising prices. Taking issue with the prevailing belief that "...our labourers have lost the spirit of independence and prefer that certain pittance of parish allowance to the earnings of laborious industry,"<sup>88</sup> he instead countered by stressing how "...ill-requited that industry has been even [for the most] willing and productive..."<sup>89</sup>

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<sup>86</sup> Edward Copleston (1776-1849); Provost of Oriel College, Oxford, 1814-1828; Dean of Chester, 1826-1828; Bishop of Llandaff, 1827-1849. He considered the Irish Potato Famine, 1845-47, to be a Providential message of the truth of Malthusianism.

<sup>87</sup> *Ibid.*

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*

which meant that despite a life of virtuous frugality and responsibility during the good times, the average labourer "...was still unable to do more than provide a bare subsistence..."<sup>90</sup> which prevented him from putting aside anything against the future. Existing permanently on the edge of penury, one bad season would see the labourer driven into destitution and compel even the proudest to seek the assistance of the parish. Yet when this did happen, Copleston posited that having "...tasted its [parish relief] eleemosynary succour, scanty as it was, and ought to be, and most sparingly administered, still the difference was not so great between wages and alms – between the present lot and their former condition – as to make them look back with regret upon that condition, or to strive eagerly for its recovery."<sup>91</sup>

Copleston would detail as much to his former pupil at Christ Church, and then Chief Secretary for Ireland, Sir Robert Peel in 1819. In the same correspondence Copleston also made it clear that, in his opinion, the negative correlation between prices and wages could not be addressed by any legislative action. He wrote, "...the age is too enlightened to think that a regulation of wages by law can give effective relief."<sup>92</sup> This was because he felt that as long as there remained a ready pool of surplus labour wages would inevitably be suppressed. Copleston therefore argued that "...the government not only could, but should, remove the many obstacles to that principle of self-correction which the analogy of nature teaches us is the universal law to her constitution."<sup>93</sup> In his analysis, the principal barrier to the self-correction of the economy was the instability of currency due to the lack of a fixed value in gold or silver;

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<sup>90</sup> Ibid.

<sup>91</sup> Ibid.

<sup>92</sup> Copleston, E. (1819) *A Letter to the Right Hon. Robert Peel, M.P. for the University of Oxford, on the Pernicious Effects of a Variable Standard of Value, especially as it regards to the conditions of the lower orders and the Poor Laws* (London, John Murray), p. 37.

<sup>93</sup> Ibid.

a situation compounded further by a continued policy of suspension of specie payment brought about following the currency crisis of 1796-97. This suspension had been initiated as a temporary wartime emergency measure, but was now contributing to the rapid depreciation of the currency and rising inflation. Adding his voice to the growing chorus of lay opposition, Copleston used his not inconsiderable influence over Peel (who had been appointed chairman of a committee of enquiry into this matter in 1818) to argue for a return to specie payment; a position contrary to that favoured by the government. Emphasising the damaging impact that the depreciating currency was having on the poor, Copleston stated that as the government should not interfere with the natural law of wages, it must also avoid any "...artificial, any superfluous, any arbitrary and coercive measures contributing to the depreciation of the value of wages..."<sup>94</sup>

Whilst Copleston acknowledged that prices had to rise in order to encourage production, he questioned Ricardo's own theories as to why wages had to fall so far behind rising prices. A situation in which the rich got richer from rising prices and falling wages was one which entrenched pauperism and served to promote nothing but bitterness and insurrection. He noted that

...there was no escaping the fact that the poor must buy and they must sell, and that immediately [since] the parties with whom they deal are intent upon gain. Gradually the labouring classes adjust to their harder conditions of life; to inferior food, lodging and clothing, and unless a sudden demand for labour comes to their aid, this gradual decay of standards continues until their condition is permanently and irrecoverably degraded.<sup>95</sup>

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<sup>94</sup> Ibid, p. 38.

<sup>95</sup> Ibid, pp. 29-31.

He felt a stable currency would at least establish a sound basis upon which a recovery might be launched. For by increasing the value of money, and enhancing the purchasing power of wages, in time the whole country would improve.

It is important to note that part of what drove the enthusiasm for a return to a gold standard was not solely based upon its efficacy in economic terms. For contemporaries, and especially churchmen like Copleston (but embracing radicals such as Thomas Paine and William Cobbett also), gold represented something far more powerful than a mere basis for fiscal policy. Gold was a substance with a moral force about it, it was a "...symbol of truth and stability, of immutability and impartiality."<sup>96</sup> George Canning went so far as to describe it "...the greatest wonder that he has witnessed in the political world."<sup>97</sup> Positively contrasted with the inherently deceptive and valueless paper currency, gold was associated with social stability, paper with volatility. Among its supporters were those who understood little the broadly economic implications of the reintroduction of specie payment, but who were zealous promoters of a policy which, in their estimation, would "...freeze social relations and economic inequalities, cut down on *nouveaux* adventurers and their fictitious capitals, on men who had been able to make easy fortunes out of restriction, but lacked the propensity, traditional in England, to make their wealth respectable<sup>98</sup> by buying landed property."<sup>99</sup> For Cobbett (admittedly arguing from a more Tory-radical perspective),

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<sup>96</sup> Hilton, B. (1977) *Corn, Cash, Commerce: The Economic Policies of the Tory Governments 1815-1830* (Oxford, Oxford University Press), p. 48.

<sup>97</sup> Viscount Dudley to Copleston, *Letters of the Earl of Dudley to the Bishop of Llandaff* (June: 1819), p. 222.

<sup>98</sup> It is tempting to imagine that what was meant by 'respectable' was the translation of liquid wealth; which by its very nature can benefit only the individual possessor, into physical wealth; which acts as something of a social enterprise – that is the management of a landed estate inevitably promotes employment opportunity and wider prosperity for an entire community?

<sup>99</sup> Hilton, B. *Corn, Cash, Commerce*, p. 59.

the introduction of the 'Paper-Money System' was directly attributable to the degradation in English liberty and prosperity, he wrote;

I have before told you, that paper-money was unknown in England, till within 107 years. England did very well before that time. The people of England were brave and free, happy at home and dreaded abroad, long before paper money was heard of...[yet] I defy any man to show me one single law, in favour of the liberties of the people, which has been passed since the establishment of the Paper-Money System, while numerous laws have been passed hostile to those liberties....Before the Paper System existed, there was no standing army in England; before the Paper System existed, there was not more than two hundred thousand paupers in England and Wales; there are now twelve hundred thousand. <sup>100</sup>

As Littleton construed "...merchants and manufacturers and those whose business it is to make their fortunes by a few years speculation always require a large discount and think the larger the circulating medium the better for them."<sup>101</sup>

This perspective must be set within the context of a period when the primary overriding concern of economic policy was to uphold law and order and to prevent, where possible, the extremes of social unrest – which in practice meant ensuring an adequate supply of bread at fair and stable prices. Viewed from this angle it is possible to understand that fluctuations in the extreme – whether up or down – in either prices or levels of employment spelt disaster for the government. Hence the apparent economic properties of the gold standard appeared attractive in terms to the delivery of government policy. Thus, "...when bullionist statesmen sought a stable rate in 1819, they were thinking precisely of the domestic economy and of the need to eliminate abhorrent fluctuations which disrupted all economic contacts, and which, as Baring

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<sup>100</sup> Cobbett, W. *Paper Against Gold, Political Register 1811* cited in Grande, J, Stevenson, J. & Thomas, R. (2017) *The Opinions of William Cobbett* (London, Routledge), p. 97.

<sup>101</sup> Edward John Littleton, MS, Journal, 26<sup>th</sup> February 1819, Hatherton MSS (National Archives). D260/M/F/5/26/2 pp. 199-201.

said, even undermined 'the moral state of the community at large.'<sup>102</sup> This was of course not a permanent solution to poverty. Such a solution was conceived as an impossibility given that poverty was a natural constituent part of any civilised society; something laid down in divine law. Copleston did concede that, before too long, wages would again be cut back down to subsistence level as the market recalibrated itself, but at least until that time the labourer would gain. As far as he could see, the only real, longer-term solution to the problem of low-wages would be the reduction in the availability of surplus labour.

His second major line of argument focussed upon attacking the lazy and random administration of poor relief which had developed during the latter stages of the eighteenth century. He slammed as hopelessly naive the legislation of Gilbert<sup>103</sup> in 1782 and 1796 (which sought to improve the conditions in the workhouses and gave legal sanction to the practice of occasional relief), the attempted 1796 minimum wage legislation of Samuel Whitbread<sup>104</sup> and Pitt's 1797 plan to pay a premium to large families (and thus to "...make the parish allowance, in such cases, a *right* and not an *honour*"<sup>105</sup>). To Copleston (and many others) such flexibility in the administration of poor relief only served to confuse voluntary benevolence with legal relief. Although harbouring a far more positive and optimistic opinion of the poor as only ever unwilling recipients of relief, this did not mean that Copleston wished to make the available support any more desirable. Very much in the spirit of the argument made by Sumner

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<sup>102</sup> Hilton, *Corn, Cash, Commerce*, p. 60.

<sup>103</sup> Thomas Gilbert (1719-1798); Member of Parliament for Newcastle-under-Lyme, 1763-68, and then Lichfield; 1768-1795. He dedicated much of his time in Parliament to bringing forward legislation to improve the lot of the poor.

<sup>104</sup> Samuel Whitbread (1764-1815); scion of the Bedfordshire brewing family. Served as Member of Parliament for Bedford from 1790-1815. Briefly served as leader of the Whigs following the death of Charles James Fox in 1806.

<sup>105</sup> Courtenay, T.P. (1817) *Copy of a Letter to the Right Hon. William Sturges Bourne, Chairman of the Select Committee of the House of Commons Appointed for the Consideration of the Poor Laws*, p. 78.

about the confusion between poverty and indigence, Copleston felt that the distance between subsistence and comfort had been too far reduced. A system of relief that led inexplicably to the 'extinction of life'<sup>106</sup> obviously served no function at all. Rather the system ought to direct itself "...to the bare preservation of it [life]...a limitation which ought to operate at *all times*."<sup>107</sup> To do any more than this would only lead to the increase in distress as the problem multiplied. Should the magistrate ever be in doubt as to what exactly the 'limitation' would amount to, Copleston advised that they should always favour 'inadequacy over indulgence.' To his mind the authors of the Speenhamland 'system' had far exceeded their authority in 1795; a 'system' which quickly caught on across the country. He felt it to be both highly inappropriate and very unscientific to allow individual magistrates to take decisions on apportioning local rates to support poor relief. At the very minimum two magistrates ought to be required to initiate such action and they, like the overseers of the poor, should have "...the stoutest, not the kindest hearts,"<sup>108</sup> particularly in times of severe distress. A clear distinction was to be drawn between wages and alms, and the latter "...so controlled, and scantily paid, as to force labourers to seek any other conceivable means of support."<sup>109</sup> Once this became the established principle, Copleston felt that "...it may be possible to provide by law for the *preservation of life*, without encouraging *the propagation of it*."<sup>110</sup> Copleston called this metric a 'cheering inference.'<sup>111</sup> Since Copleston, in contrast to many people who shared his views, did not believe the poor would willingly avoid employment if it was available the problem was to keep them from being corrupted while awaiting a favourable upturn in the economy. And by

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<sup>106</sup> Ibid, pp. 78-79.

<sup>107</sup> Ibid, p. 92.

<sup>108</sup> Ibid, p. 94.

<sup>109</sup> Ibid, p. 97.

<sup>110</sup> Ibid, p. 28.

<sup>111</sup> Ibid.



corruption he meant the debasement of their natural and moral sense of individual self-interest to a point where it was irredeemable.

### ***Richard Whately and Political Economy***

The fact that Sumner's ideas continued to attract the interest of senior clergymen and influential lay churchmen even after the post-war economic downturn had begun to pass, and the numbers seeking relief had started to fall, was indicative of the fact that these ideas were not merely a transient impulsive response to an immediate socio-economic crisis but had started to take root more deeply among thinkers within the Church. Indeed, the Church's gradual conversion to the 'Malthusian principle' (via Sumner) were given further encouragement by the efforts of another clergyman, Richard Whately (1787-1863). A student of Edward Copleston, and a tutor to Nassau Senior, initially a Fellow of Oriel College, Whately took up parish ministry after his marriage in 1821. He subsequently became Principal of St. Alban's Hall (now part of Merton College, Oxford) in 1825, then replaced his former pupil Nassau Senior as the Drummond Professor of Political Economy at Oxford in 1829. His tenure here was cut short by his appointment to the position of Archbishop of Dublin in 1831. Whately's significance lay in his 'rescuing' of political economy from the attempts by those associated with Philosophical Radicalism to intellectually colonialise and monopolise this field of study. From the period of the 1810s and 1820s when political economy was emerging as "...a highly influential mode of discourse and became institutionalised as an academic discipline"<sup>112</sup> Whately himself became convinced of the utility of the principles of the science to the future design and application of public policy. He confessed to a friend; "...it seems to me that before long, political

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<sup>112</sup> Boylan, C. (2018) *The Life and Career of Archbishop Richard Whately: Ireland, Religion and Reform* (Fourcourts Press, Dublin), p.39.

economists, of some sort or other, must govern the world; I mean that it will be with legislators as it is with physicians, lawyers etc no one will be trusted who is not supposed at least to have systematically studied the sciences connected with his profession.”<sup>113</sup> Such enthusiasm however, as has been articulated elsewhere, was not widely or wholeheartedly shared amongst many of the churchmen of the period; although through the efforts of Sumner this scepticism had started to be challenged. However, at the same time as Sumner was attempting to promote a more sympathetic reading of the science within the Church, a similar (and arguably more successful) effort was being waged by those of a more radical reformist bent to ally political economy as a discipline fundamentally with a determinedly materialist Benthamite utilitarianism. Such views, although not avowedly atheistic, were nevertheless associated particularly with those of a more heterodox/deistic theology, and therefore were viewed by churchman (and many within the secular political establishment) as dangerously close to heresy/irreligion and potentially a revolutionary threat to social order. Whately, no doubt alive to the continuing controversies within the Church over political economy was intensely troubled by the move by the radicals to gain control of the narrative, and the likely impact this would have on the efforts of those like Malthus and Sumner to prevent this subject matter being carried beyond the pale of the Church. Whately wrote; “...the anti-Christians are striving hard to have this science to themselves, and to intervene with it their own notions; and if these efforts are not met, the rising generation will be at the mercy of these men in one way or another – as their disciples or as their inferiors.”<sup>114</sup>

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<sup>113</sup> Ibid.

<sup>114</sup> Ibid.

Whately was adamant that he was going to push back against this and "...restore [political economy] to the political and ecclesiastical establishment."<sup>115</sup> Whately saw his election as Drummond Professor of Political Economy in 1829 as the ideal position from which he could "...combat the prevailing prejudices against the study[of Political Economy], and especially those which represent it as unfavourable to religion."<sup>116</sup> Against a prevailing orthodoxy at Oxford which viewed political economy as subversive of religion, morality, public prosperity and private happiness, Whately set out to argue the contrary with as much rigour as he could muster. Despite a tenure of just two years, Whately succeeded in answering the sceptics in his Drummond Lectures; the series of which were published in 1831 under the title *Introductory Lectures on Political Economy*. In these lectures Whately attacked the assertion of many churchmen that wealth did not equate to happiness and therefore should not become the focus of intellectual pursuit by arguing that, although wealth (and materialism more generally) was not happiness, it was such a fundamental part of human existence (whether for good or bad) that it was absolutely necessary to dedicate a separate field of study to it as a concept. He broadened out this justification by arguing that political economy was not concerned necessarily with the process of individual wealth creation, but with the general enrichment of society. In articulating such a distinction Whately could challenge the related charge that a focus on wealth creation only served to undermine virtue because it encouraged haughtiness and scorn for those less fortunate than oneself (Christian notions of benevolence and love). He argued that in reality such attitudes "...arise only when the individual is elevated above his neighbours; if a nation grows wealthier as a body, there is no relative change in status and the problem does

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<sup>115</sup> Ibid, p. 40.

<sup>116</sup> Ibid.

not arise.”<sup>117</sup> Similarly, he argued, wealth “has no more necessary connection with the vice of covetousness...than the inquiries of the chemist and the physiologist respecting the organs and the processes of digestion and absorption of nutrients have with gluttonous excess.”<sup>118</sup> Drawing out a distinction between the morality and the process of wealth acquisition is not by its very nature immoral, rather it is the values structure which sit behind it which is the more appropriate element to influence. A wealthy man may choose to use his wealth for the purpose of doing good to mankind, just as the poor man may squander what little he earns on vice rather than feed his family or provide charity. However, by far Whately’s most inventive line of argument “...was to effect an epistemological separation between the scientific and theological knowledge in other words between political economy and religion.”<sup>119</sup> For Waterman, this was the most significant “...achievement of Richard Whately to defeat the philosophic radicals by showing that a defensive demarcation is possible between, ‘scientific’ and ‘theological’ knowledge, thereby insulating each from illegitimate encroachment by the other.”<sup>120</sup>

By driving an intellectual wedge between the ‘scientific’ knowledge of political economy and the ‘theological’ knowledge of religion Whately was able to neutralise political economy from ‘contamination’ by any one political or religious creed. This neutralisation of the subject effectively nullified arguments by churchmen that political economy was inherently hostile to the Christian faith (or religion more generally). Whately made this point most stridently in his second lecture; “That political-economy should have been complained of as being hostile to religion, will probably be regarded

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<sup>117</sup> Ibid, p. 41.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

a century hence...with the same wonder, almost approaching to incredulity with which we of the present day hear of men sincerely opposing on religious grounds, the Copernican system.”<sup>121</sup> Through the separation of these different species of knowledge and granting to each its integrity, Whately successfully made the way clear for an ideological alliance between political economy and Christianity. In Whately’s “...philosophical schema, political economy and Christianity were not only consistent with one another, they were complementary; in fact, they formed the foundation of [a complete] social theory.”<sup>122</sup> As a working illustration of this social theory, Whately chose to give the example of the problem of feeding the City of London. Arguing that a planning administration would find this task laden with difficulties and yet “...this object is accomplished far better than it could be by any effort of human wisdom, through the agency of men, who think each of nothing beyond his own intimate interest.”<sup>123</sup> Through a policy of laissez-faire harmony and order had been the result. This led Whately to conclude that such an approach was the product of divine wisdom. In what was essentially a more explicit assertion of the link implied in Adam Smith’s earlier work on the market economy; Whately resolutely located these ideas within a framework of natural theology.<sup>124</sup> The implication of this theory pointed to a vision of society where wealth-creators; defined as self-interested individuals operating without artificial restrictions imposed in the market place of commerce an exchange, became the most sustainable means of driving forward the moral progress of humanity.

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<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

Whately's social theory demonstrated very much his intellectual background within the group known as the Oriel Noetics<sup>125</sup> who, contrary to some contemporary critics of the period, sought to reinforce the Butlerian argument (as outlined earlier in this chapter) that "...scarcity and poverty encouraged forethought and industry...wealth was therefore a sign of virtue since it reflected industry [and] prudence."<sup>126</sup> Social inequality was inevitable, but was justifiable on the basis of natural theology as it reflected "...the work of a wise 'clockmaker' God to encourage the virtues of charity and benevolence in the wealthy."<sup>127</sup> Wealth then became not only an indication of one's individual virtue, but was only the means by which further virtue might be obtained. In his work on the evolution of the concept of the Christian Political Economy Peter Mandler summarised the Noetic position in the following way; "...human improvement consisted not in the attainment of higher standards of material comfort or higher states of happiness, but in striving for higher virtue."<sup>128</sup>

Probably the most significant aspect of Whately's developing social theory was his new understanding of how to define how the individual was to act within the traditional Christian conception of the 'Social Man'. Pursuing his theory, Whately came to believe that it was in the participation of man as a commercial agent within society that humans could best realise their potential to increase virtue. To his mind, the original emphasis on benevolence represented a fundamental misreading the individual's God-imbued social instinct for cooperation and reciprocity. What the divine will had actually

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<sup>125</sup> Formed among the fellowship of Oriel College, Oxford, the Noetics were a group of reformist Anglicans who identified with an orthodoxy in faith rooted very much in the rationalist tradition of the eighteenth century. Predominately High Church in allegiance, they opposed both evangelism fundamentalism and Tractarian sacramentalism. The group was very influential among many of the Whig reformers of the period e.g. Lord John Russell, Viscount Morpeth and Thomas Arnold. Edward Copleston associated with the group during his time as Provost.

<sup>126</sup> Boylan, *Archbishop Richard Whately*, p.39.

<sup>127</sup> Ibid.

<sup>128</sup> Peter Mandler (1990), 'Tories and Paupers: Christian Political Economy and the Making of the New Poor Law,' *The Historical Journal* 33/1, p. 88.

intended was not charity but commercial exchange as the true manifestation of a virtuous human society. As he noted in one of his lectures;

...there are perhaps few or none who can deny man to be by nature a social being, incapable, except in community, of exercising or developing his most important and most characteristic faculties. Yet various parts of the man's conduct as a member of society are often attributed to human forethought and design...which leads him, while pursuing some immediate personal gratification to further an object not contemplated by him. In many cases we are liable to mistake for the wisdom of man what is in truth the wisdom of God. <sup>129</sup>

Whately maintained a fundamentally (if sensibly cautious) optimistic view of the prospects for the social and moral development of humanity if only the means of increasing wealth could be properly established. Indeed, he went so far as to argue that the whole debate over political economy would never have arisen in the first place "...if humankind had been secured in property and person, [which would have] been allowed [had there been] the most perfect freedom of intercourse."<sup>130</sup>

Having apparently driven off the Philosophical Radicals' attempts to mobilise political economy in favour of their reform agenda, Whately's influence helped to further push the Church towards an active endorsement of political economy. Such endorsement however now allied the most powerful affective national institution to a principle which struck at the very heart of the concept of 'the parish'; and the identity associated with it. A parish of course has a corporeal, as well as a conceptual meaning here. In corporeal terms, the parish refers to a specific geographic division of the country over which a particular church has spiritual oversight, and forms the most basic unit of local government administration. But in conceptual terms, the parish represented the living

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<sup>129</sup> Ibid.

<sup>130</sup> Ibid.

manifestation of the Christian 'social man' as it had traditionally been understood; that is a community of men and women living together bound together (and regulated) by a commonly held set of rules and beliefs; the purpose of which was to provide mutual support and protection (Christian benevolence). The visible cornerstone of this God-ordained order was the church building itself – it being the 'community's space', owned by it (the parish)<sup>131</sup>, and where all were freely able to gather as equals before the Lord. For the great majority of the population, it was also there that the community was administered through the vestry. The Sumnerian drive for the introduction of a greater level of active 'discrimination,' coupled with the Whatelyian redefinition of 'the social man' effectively undermined (at the conceptual level at least) 'the parish' ideal. The centrality of benevolence to the inherited understanding of the Christian notion of the 'social man'; which in relating to the parish was manifested via the system of parish/community-based relief, was, by its very nature, a 'universal' system (at least within the confines of the individual parish). However, the sharp move against the efficiency of the institutional/universal system of relief brought about through this new conception of the 'social man' as one at the heart of a nexus of commercial exchange the system itself becomes far more 'discriminating' and therefore destroys the universal principle in that the individual is now not only deliberately set apart from the parish community by the very need to seek relief, the inability of that individual to participate in the act of 'commercial exchange' (by virtue of their circumstances), renders them 'anti-social.' Accordingly, they stand outside of/in opposition to the fundamental principle at the foundation of human society/the parish community. In consequence, these individuals become 'corrupting' influences to (and within) the

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<sup>131</sup> This is in a conceptual sense. From a legal perspective the church building did not 'belong' to the parish, the nave was within the parson's freehold and the chancel was the property of the impropiator of the tithes.



community at large. Taking this to its logical extreme, what the introduction of the language of 'discrimination' and the commercial reframing of 'social man' did was to make 'the parish' (the conceptual, not the corporeal) no longer the focus for community loyalty and support. Rather it became the very agent responsible for its potential 'corruption' (at least in terms of its functions related to the provision of relief). Writing to his former pupil Peel, Copleston argued that this 'corrupting' potential could no better be borne out by the excesses of the Speenhamland System. He asserted that the decisions of these magistrates to administer such a 'universal' (and generous) system of relief would ultimately only serve to compound the problem of poverty. His criticism of those with 'kind hearts' – with its allusion to the traditional notion of Christian benevolence and the 'parish community' – had to be replaced by 'stout hearts' which would apply benevolence only 'selectively' to those who had to offer proof of their destitution (not dissimilar in commercial terms from submitting a bid for a service/product). The principle of universal benevolence, was now to be replaced by a discriminating parsimoniousness.

### ***The New Poor Law***

The full (and final) consummation of the alliance between Church and political economy (by way of the Sumnerian/Whatelyian recalibration) would be reached with the return of the Whig Government in 1830. Unlike the Tory administrations which had preceded it, this was a government which contained a number of leading figures who had been heavily influenced by the Oriel Noetic school of political economy: Lord John Russell (Paymaster of the Forces, and then Leader of the House of Commons from 1835), The Earl of Carlisle (Minister without Portfolio, then Lord Privy Seal) and Thomas Spring Rice (Secretary to the Treasury, then Chancellor of the Exchequer from 1835). Political economy was now at the very heart of policy-formation.

Policymakers confronted a situation in which violence and serious disorder continued to stalk the country despite the fact that the price of bread was falling and expenditure on outdoor relief was rising. Those in governing circles were at a loss to understand (from an economic perspective at least) what was driving such a level of demoralisation amongst the poor. What was clear was that, despite various reforms, the Poor Law, as it was presently constituted, was still failing to deliver on what it was expected to do; namely to keep the labouring poor content during times of dearth. In response to this Grey's Government agreed to the establishment of a Commission which would undertake an investigation into the reasons why the policy was failing. The composition of this Commission was important because not only did it include the Malthusian economist Sturges Bourne and Benthamite reformer Edwin Chadwick, it also included Whately's former pupil (and a former Drummond Professor of Political Economy) Nassau Senior and two senior clerics: Blomfield (who chaired the Commission) and Sumner – both of whom were already highly critical of the Poor Law and had openly called for its complete abolition. Having earlier testified before the Emigration Committee of 1827, Bishop Blomfield "...had expressed his growing disillusionment with existing relief measures and felt that a dramatic new approach should be taken."<sup>132</sup> He, Sumner and others however were dissuaded from such a measure on purely practical grounds. Both Blomfield and Sumner were encouraged to put aside their moral and demographic arguments and instead "...define the problem in Benthamite administrative terms."<sup>133</sup> As already noted, this had been made easier thanks to Whately's work in neutralising (at least to some extent) the anti-religious connotations associated with such an approach in linking 'administration' to

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<sup>132</sup> Finer, S. (1952) *The Life and Times of Sir Edwin Chadwick* (London, Routledge), p. 44.

<sup>133</sup> Soloway, *Prelates and People*, p. 160.

an undeviating commitment to the divine natural law (that is without attempts at 'human' variation).



(Fig. 1) *Outdoor Relief* (1840)  
Courtesy of the Wellcome Library

Issued in February, 1834, the Commissioners' Report presented the following recommendation to Government; "...All relief whatever to able bodied persons, or to families, otherwise than in well-regulated workhouses (i.e. places where they may be set to work according to the spirit and intention of the 43<sup>rd</sup> Elizabeth) shall be declared unlawful, and shall cease."<sup>134</sup> This was further qualified with the adjunct that "...all relief afforded in respect of children under the age of sixteen shall be considered as afforded to their parents."<sup>135</sup> Through these measures alone did the Commissioners believe that the 'progress of pauperism' would be arrested; a progress which had begun on that fateful day in 1795 at the Pelican Inn in Speenhamland when "...the magistrates assembled...to settle the weekly income of the industrious poor."<sup>136</sup> The Report declared this decision to be a "...fatal deviation from...previous policy."<sup>137</sup> A policy (meaning the Elizabethan Poor Law of 1601) which had never "...contemplated as objects of relief industrious persons."<sup>138</sup> Furthermore, even for those with no means or trade to sustain their family, the object of the policy was to set them to work as a condition of their receiving relief via the parish. It was not to be

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<sup>134</sup> Checkland, S.G. & E.O. A. (1974) (eds), *The Poor Law Report of 1834* (Middlesex, Penguin), p.375.

<sup>135</sup> Ibid.

<sup>136</sup> Ibid, p. 125.

<sup>137</sup> Ibid.

<sup>138</sup> Ibid.

considered a "...promise of comfort or happiness."<sup>139</sup> Nor was even this alluring prospect available to all without work, rather it was only ever supposed to be directed to "...the impotent, and to persons who must always form a small minority in any tolerably regulated society that is, persons having no property, and using no daily trade."<sup>140</sup> The able-bodied industrious labourer was to be 'carefully excluded' according to the Commissioners. It was clear from the many case-studies accompanying the Report, that in many places such principles were being too easily put aside in favour of those 'fatal deviations' which became most notoriously associated with Speenhamland. As the introductory remarks to the Report section 'Objections to the Amendment' outlines;

The labourer feels that the existing system, though it generally gives him low wages, [it] always gives him easy work. [But more so it gives him] what he values more, a sort of independence. He need not bestir himself to seek work; he need not study to please his master; he need not put any restraint upon his temper, he need not ask relief as a favour.<sup>141</sup>

His position is summed up as that a having a slave's security for subsistence without his liability to punishment.<sup>142</sup> This complaint is thrown into particularly sharp relief when marriage is considered. The point is made that a single worker, earning barely a subsistence wage (whether through idleness or a general lack of available work) still feels himself at liberty to freely marry and raise children, confident in the knowledge that he need not have to rely solely on his wages alone because, as his family grows, so does the level of parish support until "...the parish becomes his principal paymaster;"<sup>143</sup> the small allowance per child exceeding the average wages by the third

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<sup>139</sup> Ibid.

<sup>140</sup> Ibid.

<sup>141</sup> Ibid, p. 132.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

child. This is aptly illustrated in the report of Assistant Commissioner Mr Majendie on the Coggeshall Parish, Essex; "...weekly wages are 8s; but by piecework a good labourer may earn 10s.... Labourers with four children for the subsistence of which family...11s 6d is required...Of this sum the good labourer earns 10s, and receives from the parish 1s 6d. The inferior labourer earns 8s and receives from the parish 3s 6d. The man who does not work, and whom no one will employ, receives the whole from the parish."<sup>144</sup> How was such a metric to be justified? This is answered by the Assistant Commissioner Mr. Wilson, reporting on the operation of the system in Barnard Castle, Northumberland; "The answer given by the magistrates, when a man's bad conduct is urged by the overseer against his relief is, 'We cannot help that; his wife and family are not to suffer because the man has done wrong.'<sup>145</sup> Wilson bemoans the apparent fact that able bodied labourers, many with large families, are too often found to be demanding relief – a request usually acceded too by order of the magistrates for the reasons stated above – when it was by his own 'petty thieving,' 'drunkenness' or 'impertinence' which led to his being without work in the first place leaving him, in the words of Mr Wilson "...a dead weight upon the honesty and industry of his parish."<sup>146</sup> But what was found to be even more alarming was evidence of the casual use of relief by even those who were properly employed as a means of dealing with the 'inconveniences' appertaining to family life. A Mr Stuart, Assistant Commissioner for Suffolk, recounted that when present at a meeting of the Committee of the Bulchamp House of Industry (built in 1765/66);

...a man came with four children and applied to have them admitted into the House during his absence at the herring fishing. He was a widower. He had earned the high wages of the harvest

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<sup>144</sup> Ibid.

<sup>145</sup> Ibid.

<sup>146</sup> Ibid.

month, and besides had work afterwards, yet he had made no provision for the support of his family while he went to the fishing, neither would he undertake to reimburse the parish out of his wages for the expense.<sup>147</sup>

Working on the principle of benevolence, the Committee agreed to accept two of the children. This did not satisfy the father who refused and the next day simply abandoned his children to the parish. Whilst this is certainly to be considered an isolated (and extreme) example of laxity of application it nonetheless drew attention to the fundamental criticism at the heart of the Report (about the present operation of the system); whilst all other "...classes of society are exposed to the vicissitudes of hope and fear he alone [the able-bodied claimant] has nothing to lose or gain."<sup>148</sup>

In arguing for the redefinition of the Poor Law along purely administrative lines, the Commission arrived at the position that "...if paupers could be forced to enter the free labour market or not interfere with it, there would not only be a drop in rates, but an increase in productivity. In practice this meant making relief as unattractive as possible on the Benthamite 'less eligibility' principle."<sup>149</sup> Whately applied what pressure he could to urge both Senior and Chadwick to rewrite the Poor Law in such a way so as to do everything possible to discourage the poor from seeking relief. Indeed, the Archbishop was not short of suggestions himself. Whately posited that all paupers ought to be tattooed so that if they were caught begging or seeking more relief they could be punished. He also felt "...that any female receiving relief should have their hair cut off; it may seem trifling but...a good head of hair will fetch from five shillings to ten shillings, which would be perhaps a fortnight's maintenance...Indirectly, the number who would exert themselves to save their hair is beyond belief..." Whately

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<sup>147</sup> Ibid.

<sup>148</sup> Ibid.

<sup>149</sup> Soloway, *Prelates and People*, p. 165.

derived particular pride in his refusal to distribute relief to those on the streets. Indeed, when he did give out alms in his parish he never hesitated to "...have applicants searched and made them turn out their pockets." Further to this, in his role as an active member of the Society for the Suppression of Mendicancy, he point-blank denied relief to any pauper who was unwashed or unshaven – "Breakfast or beard!" were his watchwords. The conception that these pathetic individuals might possess a degree of personal dignity was beyond his comprehension – their apparent willingness to beg for alms was testament to the contrary.

Though not as blunt in their criticism of the labouring poor, both Blomfield and Sumner shared Whately's deeply held sentiment that it was the very policy of providing outdoor relief which was serving to corrupt the morals of the poor, which in turn made the problem even worse. Like so many of their fellow churchmen there was no *desire* to give alms in any emotional/compassionate sense of the word. Rather their Christian charity emanated almost entirely from a sense of duty; a purely functional adjunct to their vaunted position in society. Having a genuine sense of sympathy or attachment to the fate of the poor, whilst not unknown in individual cases, was largely considered to be irrelevant. Indeed, in some instances a sense of emotional attachment was declared dangerous as it allowed for the exploitation of the soft-hearted by the idle and corrupt. The bishops were completely in step with the lay members of the Commission in being convinced that there could be no solution in pursuing any course which advocated the greater provision of relief. Such a commitment was made clear in 1833 when Blomfield stood up to oppose his fellow prelate Bishop Law of Bath and Wells (a man who had witnessed his palace burnt down by a mob demanding bread during the Reform riots) - on his plans for providing relief through the provision of small plots of land and requiring landowners to hire unemployed labourers in times of economic

stress. Although not opposing him on the method per se, Blomfield argued that the proposals were unfair to the landowners and, more importantly, "...but another step in the fruitless direction of institutionalised assistance."<sup>150</sup> These measures would in his view do nothing to discourage improvident marriages. Indeed, thus "...to discriminate between the conscientious and the negligent labourers, it would, in fact, only serve to aggravate the disease without alleviating the symptoms. The existing Poor Law already curtailed the free circulation of labour, to encourage this still further by guaranteeing employment would be self-defeating."<sup>151</sup> In response to his episcopal colleague, Bishop Laws replied that "...the reality of conditions demanded the employment of the labourers in preference to direct relief but his brother of London insisted that the need or the demand for relief was not sufficient justification when the cumulative effects would further corrupt the labourers' character, comfort and happiness."<sup>152</sup> Blomfield saw that the principal aim of the proposals brought forward by the Commission would bring an end to the futility that was (as he saw it) outdoor relief. For Whately and the Commissions this was the only sustainable long-term solution. Whately declared that to approach the issue any other way would amount to "...trying to lengthen the blanket by cutting of a strip at one end and sewing it on at the other."<sup>153</sup> In those rare instances where the distribution of food became necessary Whately's position was that "...it should be bestowed as a *reward* not on those in want merely, but on those of extraordinary sobriety, industry and general good conduct."<sup>154</sup> He added that, on these rare occasions, it was preferable to give, or sell cheap, coal, clothing or other articles instead of food, because they were not "...subtracted from

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<sup>150</sup> Ibid.

<sup>151</sup> *Hansard*, XVIII (1833), 671-673.

<sup>152</sup> Soloway, *Prelates and People*, p. 165.

<sup>153</sup> Whately, E. (2011) *The Life and Correspondence of Richard Whately, D.D, late Archbishop of Dublin* (Nabu Press, Charleston), pp. 76-77.

<sup>154</sup> Ibid.



the total stock, but were produced as a result of demand. As for food, I like particularly to leave all the bones and scraps that would otherwise be wasted, collected for soup; that does increase the quantity of food.”<sup>155</sup>

Although encouraged to put aside their ‘moral’ considerations and focus purely upon the ‘administrative’ there was no doubt in the minds of the churchmen like Sumner, Blomfield and Whately, and others in secular political leadership, that the steps they were taking to reform the welfare system was more than a purely ‘economic’ or ‘administrative’ exercise. In their understanding advancing political economy had the potential to promote a virtuous society. To achieve this end, the reformers sought to fracture the previously symbiotic relationship between ‘the parish’ and the promoting of ‘Christian virtue.’ The implication of the changes in legislation was ultimately that a truly virtuous society could never be brought about through the mediated actions of ‘the parish.’ This could only come about through a direct/personal interaction between individuals within each particular parish community. A communal/mutual universal benevolence was to be replaced by an individually (and ‘commercially’) determined altruism. The Report itself alludes to this intention when the Commissioners wrote; “Wherever the language of the legislature is uncertain, the principle of administration, as well as of legal construction, is to select the course which will aid the remedy; and with regard to the able bodied, the remedy set forth in the statute is to make the *indolent industrious*.”<sup>156</sup>

In this purpose we can see the strong influence of the Scottish theologian and Malthusian social reformer Thomas Chalmers. In the Preface to the report on his appearance before the earlier Parliamentary Committee on Poor Law Reform in 1817,

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<sup>155</sup> Ibid.

<sup>156</sup> Ibid. (My emphasis).

the author summarised Chalmers' analysis; "To Chalmers, emphatically, man is greater than his environment and a man's life does not consist in the abundance of things...He was convinced that the one thing of supreme importance in raising the condition of the people was the *character* (my emphasis) of the people, and he considered that first things should be put first, and that all other things were subsidiary to that."<sup>157</sup> The essence of his teaching, according to the Report, was that if one wanted to attain economic well-being of society you first had to moralise it, "...and to moralise society you must Christianise it."<sup>158</sup> In order to achieve this, Chalmers argued that parishes should be left to "...the unfettered operation of Christian precepts,"<sup>159</sup> which he defines as "...the kindlier feelings of nature on the heart and the conduct of individuals."<sup>160</sup> Reflecting his very different experience within the context of a Presbyterian state, Chalmers quite naturally draws a distinction here between what he sees as secular work of the parish/state (economic management) and the role of the Church in establishing the context in which that secular work can be accomplished (a moral society). Having observed the operation of the now Old Poor Law system in England, Chalmers believed that the virtuous spirit had disappeared from many parishes. He argued that "...every domestic tie had gone into dissolution,"<sup>161</sup> to be replaced by "...[a] coldness of a public administration"<sup>162</sup> i.e. the Old Poor Law system. As a consequence, the poor had been placed in a state of dependence which "...impair [ed] the diligence of [their] exertions for himself."<sup>163</sup> It is by these means alone that the labouring poor, "...by economy of a very slight and practical retrenchment [can

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<sup>157</sup> *Dr. Chalmers and the Poor Law, A Comparison of Scotch and English Pauperism and Evidence Before the Committee of the House of Commons* (David Douglas, Edinburgh: 1911), p. vi.

<sup>158</sup> *Ibid*

<sup>159</sup> *Ibid*

<sup>160</sup> *Ibid*, p. 7.

<sup>161</sup> *Ibid*.

<sup>162</sup> *Ibid*.

<sup>163</sup> *Ibid*, p. 14.

manage] to secure for themselves a provision against the wants of futurity.”<sup>164</sup> The bringing to an end of this system of ‘cold administration’, argued Chalmers; drawing on his own experience of his experiments in the parish of St. John’s in Glasgow, would remove the barriers to the rising of “...the strong instincts of relationships”<sup>165</sup> which would see the creation of a far more secure parish system of “...kindly protection [which would encompass]... all its members.”<sup>166</sup> From his own observations, he was confident that “...the sympathies of neighbourhood if not relaxed by some ill-judged and artificial process, will afford a more, substantial relief to the indigence which resides within its bounds, than ever can be poured out upon it out of the treasury of an almshouse.”<sup>167</sup>

What is interesting to note here is that the belief in the Christian ‘social man’ is the fundamental principle at the heart of Chalmers’ system. However, this was a belief which had already undergone the evolution from one rooted in the notion of universal benevolence to a concept based on a commercial (discriminating) understanding of human relationships. For Chalmers (like Whately), benevolence was a virtue that was to be encouraged in the individual; it was an act mandated by God. However, a system that did not encourage but rather compelled the individual to participate in the act of (collective) benevolence (via the parish/state) only served to promote resentment, corruption and disharmony in the community; in other words, it served to undermine efforts to promote a virtuous society (and therefore an affront to God). Chalmers stressed that if the wealthy were left to make charitable donations when led by their own compassion this would lead to a “...more useful and discriminating method of

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<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

<sup>167</sup> Ibid.

benevolence then ever can be practiced by the official agents of a legal institution.”<sup>168</sup> Not only this, but inter-class relationships would be significantly improved as antipathies of the parish/state system gives way to one where “...the rich and poor often meet and exchange with each other such cordialities of affection and goodwill as go to sweeten every offering, and to turn the whole of their intercourse into a scene of enjoyment.”<sup>169</sup>

The resultant Poor Law Amendment Bill passed through Parliament with fewer than 50 votes in opposition. However, Church support for the new Act was far from unanimous. Despite the presence of two bishops on the Commission (one of whom sat in the chair), supposedly those to whom the poor looked to for protection, the clearly anti-welfare Establishment thrust of the legislation worried many. Despite, his own personal views, Blomfield acknowledged the fact that the poor were unlikely to regard the new legislation as particularly beneficial to their interests. He declared that in accepting the office of Chairman of the Commission, “...I had a pretty clear perception of the obloquy to which I should probably expose myself by doing my duty in the examination of such a subject.”<sup>170</sup> When the Bill was in Committee he also readily admitted that he was “... fully alive to the painful and inconvenient situation in which I am placed,—that of appearing to be the advocate of measures which seem to wear on the surface some-thing of unkindness towards the most interesting portion of the community;”<sup>171</sup> but remained conscientiously committed to seeing the reforms through as “...when followed out into all their results, [they] will prove to be to those very parties a source of improved morality, and of happiness.”<sup>172</sup> In spite of the great

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<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

<sup>170</sup> HL Deb 8<sup>th</sup> August 1835 vol. 25 c1079

<sup>171</sup> Ibid c1079-c1080

<sup>172</sup> Ibid, c1080.

changes which had taken place in the previous decades, Blomfield understood improvement as "...a return to the virtues and values of a less confused and corrupted era where the poor were not only industrious and independent, but attached to the Established Church relevant to their condition in life. The first step in that direction was an end to outdoor relief. The poor must be returned to their natal parishes and forced into union workhouses."<sup>173</sup> Blomfield sincerely believed that in time "...the harshness employed would be justified."<sup>174</sup> Many were not so sanguine. Particularly relevant to our argument is the complaints of men like Bishop Law and Archdeacon Samuel Butler (soon to be raised to the See of Lichfield) both of whom feared the implications of the replacement of "...the structure of paternalistic parochial relief...in favour of a less personal distant arrangement."<sup>175</sup>

But this concern over 'distance' was not only a reflection on the changing criteria and method of dispensing relief. Arguably a more significant (indeed fundamental) reform of the system was in the decision to adopt the Report's proposed creation of "...an especial agency...empowered to superintend and control"<sup>176</sup> with a relief infrastructure to be made up of newly created Poor Law Unions (usually made up of a group of parishes), each of which would be governed by a board of elected Guardians. This move was considered necessary by the Commissioners to ensure that the provisions of any amended Poor Law was vigorously and uniformly operated and enforced at a national scale. This had been a key criticism of the parish-based system which "...the evidence collected under [the] Commission [proved] that whilst the good example of one parish is rarely followed in the surrounding parishes, bad examples

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<sup>173</sup> Soloway, *Prelates and People*, p. 172.

<sup>174</sup> *Hansard*, XXV (1834), 914.

<sup>175</sup> Soloway, *Prelates and People*, p. 170.

<sup>176</sup> Checkland, *The Poor Law Report*, p.404.

are contagious and possess elements of indefinite extension.”<sup>177</sup> As a consequence, the Report’s authors declared that they had been “...forced...to distrust the operation of the clearest enactments”<sup>178</sup> through the traditional parish-based structure. For the first time in history the poor were to seek relief and succour, not from their own parish community, but from an entirely secular national institution to whom they had no personal or direct relationship – this was considered to be the advantage of the new system as it prevented the ‘corroding effect’ of sentiment or emotion in the treatment of claimants; serving to further reinforce the shift from communal benevolence to parsimonious discrimination. Such a shift was welcomed by reformers like Bishop Maltby who argued that “...so long as the poor man throws the burden of his support upon the hard-earned means of his industrious neighbour, he would remain corrupt and beyond the reach of the ministry.”<sup>179</sup> Maltby urged his own diocesan clergy to understand that “...while coping with the expected anger of the poor ‘Divine Providence’ when it laid men under the original cause of earning his bread by the sweat of his brow, mercifully [annexed] to the exercise of industry [was] the pride of independence and the comfort of rest, which is rendered so grateful by exertion.”<sup>180</sup> But for others, this supra-parish interposition marked a profound threat to the formerly symbiotic identity between the parish, the Church and the self. This concern was articulated rather neatly by Archdeacon Butler of Derby who wrote that “...nothing ought to be admitted which tends to separate the interests of the poor from the superintendence of their ministers [whilst the poor may rejoice now in being severed

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<sup>177</sup> Ibid

<sup>178</sup> Ibid

<sup>179</sup> Maltby, E. (1834) *A Charge Delivered to the Clergy of the Archdeaconry of Chichester...in September, 1834*, pp. 23-24.

<sup>180</sup> Ibid.

from priestly oversight] the day will assuredly come when they will sorely lament the loss of their best, kindest and often only protector.”<sup>181</sup>

In making this statement, Butler was unambiguously asserting the fundamentality of the relationship between popular identification with the Church and its role at the heart of the parish (both at a corporeal and conceptual level). For Butler, the Church was the encapsulation of the principles at the heart of the ‘social man’ (as it had been traditionally understood); a community of men and women living bound together and regulated by a commonly held set of rules and behaviours; the purpose of which was mutual support and protection (Christian benevolence). A central aspect of the relationship between the principles of mutuality/commonality of benevolence and identity was its ‘national’/‘universal’ nature; it was a virtue not considered to be possessed by one section of the parish community alone. It was therefore a public virtue; one recognised as operating for the benefit of all, practiced by all according to their own capacity to do so. Put another way, material inequality was not taken as an account of one’s ultimate moral worth within the community (which could be considered a species of ‘civil equality’ or in more modern parlance ‘human equality’). The effort to recast the central principle of the ‘social man’ in the form of an agent at the centre of a nexus of commercial exchange was to emphasise specifically the political, social and economic inequalities (however minor) within the parish community. The implication of this was the shattering of the mutuality/commonality (the equalising principle) which was the fundamental binding element to identification between the parish (and the Church) and the man. Much of the post-1834 popular literary representation of the new system of relief placed a great deal of emphasis on

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<sup>181</sup> Butler, S. (1837) *A Charge Delivered to the Clergy of the Archdeaconry of Derby...June 26<sup>th</sup> and 27<sup>th</sup>, 1837*, p. 4.

the apparent sudden overturning of the commonality and the introduction of 'moral' as opposed to 'socio-economic' division within society. *The New Poor Law Bill in Force* (broadside ballad; 1836) employs the satirical melodramatic, but no less vivid, contrast between the corpulence of the Guardians and parish officers and the desperate and starving paupers petitioning for relief. This is illustrated in the excerpt below;

Now Mr Blubberhead<sup>182</sup> the Beadle, fetch the Overseers and Churchwardens 12 bottles of the best Port Wine, yes Sir, and Blubberhead is there any Vagrants outside wants examining? Why, Sir, there is a wonderful lot of people...

Who are you pray? Why, Sir, my name is John Pineway, who is been ill seventeen long months, I have a wife confined, and eight children starving...

Well, what odds is that to me? Go home and sell your bed...

I have no bed; I sleep on straw...

Well, poor man I pity you...When had you any food?

Last Saturday Sir.<sup>183</sup>

In response to Pineway's request for relief, the Guardians order that the family are sent to the 'new Workhouse' and separated.

The following year a more lyrical ballad entitled *The New Poor Law Bill* began to circulate. In this verse, the composer poses the audience some very direct questions about this new 'inequality' of worth and the active collaboration of the Church in this policy and calls out the apparent ideological hypocrisy of now ascendant Whigs;

*The poor of England raise prayer to God and Heaven addressed;*

*For vengeance on the oppressor, for mercy to the oppressed*

*Who made such laws for English hearts? Who treads on freemen now?*

*Does not the warm blood beat the same through every English brow?*

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<sup>182</sup> The reference to 'blubber' providing constant reinforcement of the relationship between over-consumption and apparent moral superiority.

<sup>183</sup> *The New Poor Law Bill* (Broadside; 1837).



*Why part the mother from her child, in spite of burning tears;*

*Or why divide the wedding ones who lived through grief and years?*

*No home, no hearth, to shelter him – he turns away to die.*

*Shame on the Whigs who rule our land – we call ourselves the free*<sup>184</sup>

In the same year as *The New Poor Law Bill* probably the most famous example of 'workhouse literature' first appeared in serial form; Charles Dickens' *Oliver Twist*. Published in the monthly literary magazine *Bentley's Miscellany* (of which Dickens was editor), the work was subtitled *The Parish Boy's Progress*; which is perhaps a deliberate allusion to Bunyan's salvational work. The distinction made between the 'moral' (the elite) and the 'immoral' (the poor); or those requiring improvement is borne out very succinctly in this passage from chapter two;

The members of the board were very sage, deep, philosophical<sup>185</sup> men; and when they came to turn their attention to the workhouse,<sup>186</sup> they found out at once, what ordinary folks would never had discovered – the poor people liked it! It was a regular place of public entertainment of the poorer classes; a tavern where there was nothing to pay; a public breakfast, dinner, tea and supper all the year round; a brick-and-mortar Elysium.

(Seeking to put a stop to this, the board...)

...established the rule that all poor people should have the alternative (for they would compel nobody, not they) of being starved by a gradual process in the house, or by quick one out of it.<sup>187</sup>

There was no question that the significance of the changes wrought by the New Poor Law would project a long and heavy shadow across the nineteenth and (arguably) into the twenty-first century. Literary references to the introduction of moral inequity into

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<sup>184</sup> *The New Poor Law Bill* (Broadside ballad; 1837).

<sup>185</sup> Read Malthusian?

<sup>186</sup> This is likely a workhouse established under the earlier Gilbert's Act (Relief of the Poor Act), 1782.

<sup>187</sup> Dickens, C. (2000) *Oliver Twist* (Ware, Wordsworth Classics), p.11.

society can be found in later writers like Disraeli (his reference to the 'two nations'), George Eliot, Elizabeth Gaskell, Thomas Hardy and George Orwell. Poets also in the shape of George Sims, James Cravan, Rudyard Kipling and William James Linton; his polemical verse in *The Life and Adventures of Bob Thin; a poor-law tale* (1845) serving to neatly elucidate the popular reality of the new system;

*Alas! The poor man pleads in vain*

*Christian Respectability*

*Just gives out of its charity*

*A cold 'lay by for a rainy day;'*

*And Poor-Law medicines say,*

*Outdoor relief induces fraud,*

*Except when granted to a Lord<sup>188</sup>*

*And spoils the incentive to endeavour*

*In all but the gentleman-receiver*

*Poor reasons why the innocent from their own hearth-stones should be sent.*

*To a cold work house. Yet no better were given in the Bishop's letter.<sup>189190</sup>*

The forcible segregation of the community via relief policy – whether that is the individual, a family or members of that same family, corrupts the conceptual understanding of both mutual belonging and equality of worth which the parish-based system of welfare had been fundamentally based. The parish (and through it the Church), was increasingly coming to be regarded as belonging not to the community,

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<sup>188</sup> Allusion to the Corn Laws.

<sup>189</sup> A direct association is made between the Bishops and the Poor Law Commission Report.

<sup>190</sup> William James Linton; *The Life and Adventures of Bob Thin*

but to just one section of that parish community. Whilst all were members of the parish, for many it was an increasing reality that it was not really 'their parish' any longer.

## Chapter II – The Church and Parish

...the Parish is the original secular division of the land; made for the administration of justice, keeping the peace, collection of taxes, and the other purposes incidental to civil government and local wellbeing...<sup>191</sup>

These are the words of the lawyer and Saxonist radical political theorist Joshua Toulmin Smith from his 1854 book *The Parish and its Obligations and Powers*. As is abundantly apparent, for Toulmin Smith the parish was purely and completely 'civic' or 'secular' in conception and function. It was a division of the national space concerned with the discharge of all those duties necessary for administration and public order. The polemical thrust of the work concerned an exhaustive demonstration of the reasons why the Church's association with parish-based local government was the product of a power grab by the Church; "...Ecclesiastics appear...to have no sooner got established in parishes, than they endeavoured to make their authority paramount there."<sup>192</sup> Toulmin Smith's focus on refuting the Church's association with

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<sup>191</sup> Smith, J. T. (1854) *The Parish, Its Powers and Obligations at Law, as Regards the Welfare of Every Neighbourhood, and in Relation to the State* (London, H. Sweet), p. 16.

<sup>192</sup> Ibid, p. 26.

the parish structure was motivated by two interrelated objectives, firstly; the assertion of a political doctrine which placed local government as the principal basis of liberty (both of the group and the self). Secondly, resistance to the belief in a national 'Established Church' – the very definition of a privileged political order lacking a validating 'mandate' – and as a Unitarian himself he had very real experience of being 'outside' of the institution. Both objectives spoke to a broader political narrative of opposition to the creeping centralisation of the State; which brought with it an inevitable curtailment of absolute individual freedom (whether this was manifested by the group e.g. the parish, or the person themselves). His views on the legitimacy of an Established Church notwithstanding, and despite his best efforts to deny the link between the institutions of the parish and Church, one could make the argument that Toulmin Smith's anti-centralisation agenda can actually be viewed as the reason why the Church (and by extension the parish) became the principal focus for identity from at least the sixteenth century (if not before). Through an examination of the changing nature of tithes, the growth of the clerical magistracy and the increasing intrusion of state legislation in determining/validating parish space and membership one can set up a dispute between rival concepts/drivers/constructions of identity; that of communally perceived institutions versus one of imposed centralised structures.

### ***The Parish***

A helpful starting place is in defining what is actually meant by the term 'parish.' In the opening volume of their magisterial work on English local government; *Parish and County*, Sidney and Beatrice Webb wrote;

To the historian of England between the Revolution and the Municipal Corporations Act, if he is not to leave out of the account the lives of five-sixths of the population, the constitutional development of the parish and the manifold activities of its officers will loom at least as large as

the dynastic intrigues, the alterations of Parliamentary factions, or the complications of foreign politics.<sup>193</sup>

With an infrastructurally weak central state, for the overwhelming majority of the ordinary population the only regular experience of direct governance was through the parish vestry – at the heart of which sat the incumbent cleric. One cannot underestimate the sheer ubiquity of the ecclesiastical parish (the separation of civil and ecclesiastical parish would not take place until 1866) in the everyday lives of individuals. To all intents and purposes, the parish vestry and its officers had far greater relevance as a place where ‘legislative’ decisions were taken by a representative body which tangibly impacted the lives of ordinary people than either Parliament or the monarch. Indeed, the parish authorities were even recognised as such in canon law, in statute [15 Charles II cap 5] as well as in the proceedings of the Royal Commission on the Poor Law in 1834 when its Report stated that the vestry was considered to be “...the ruling authority of the parish, a sort of council of government.”<sup>194</sup> Legally speaking the parish vestry had no statutory basis, nor was there an exact account of its duties or procedures. Instead, the ecclesiastical parish had gradually emerged as the foundational unit of local government from the Tudor period. From that point onwards an increasing number of roles and functions were laid upon the parish body by Tudor and Stuart legislation, while at the same time, especially in the south, it increasingly absorbed the functions historically discharged by the now decaying manorial structure. Across the country there were some 15,600 parishes. Varying widely in size and population, some covered large cities, others took

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<sup>193</sup> Webb, S & B. (1906) *English Local Government from the Revolution to the Municipal Corporations Act: The Parish and County Vol. 1* (London, Longman), p. 5.

<sup>194</sup> Strickland, *The Poor Law Report*, p. 191.

in just a single hamlet, or even a single house.<sup>195</sup> Some parishes (like the notorious 'rotten boroughs') had no inhabitants at all. At the beginning of the nineteenth century there were 54 parishes in England which had under ten inhabitants while ten had over 50,000. As far as one can speak in general terms when considering the huge variations between parishes, 'a parish' "...may be taken to be a place making a separate poor rate."<sup>196</sup> This differed slightly in the north of England due to the much larger parishes across the region. As a consequence, legislation of 1662 allowed for the sub-division of parishes (for the poor-rate) into town-ships. This structure operated in the counties of Lancashire, Cheshire, Derbyshire, Yorkshire, Northumberland, Durham, Cumberland and Westmorland.<sup>197</sup>

From a governance perspective, the 'vestry' meeting acted as the principal legislative body of the parish. In his *Compleat Justice of the Peace and Parish Officer* (1756) Thomas Pearce described the vestry as being;

...the assembly of the whole parish met together in some convenient place for the dispatch of the business of the parish, and this meeting being commonly held in the place for keeping the priest's vestments, adjoining or belonging to the church, it has from thence its name of vestry...Anciently every parishioner who paid church rates, or scot and lot, had a right to come to these meetings; and when they who are so qualified are assembled at the time and place appointed, the major part of those present conclude all that are absent; and in the country this custom still prevails in most places. <sup>198</sup>

Meetings usually took place once a month (although again this could vary significantly according to local tradition) under the chairmanship of the parish priest. Parishioners would be summoned to the meeting by the churchwardens (perhaps assisted by a

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<sup>195</sup> The parish of Haccombe in Devon contained only two inhabited houses in 1810, one of which was the parsonage.

<sup>196</sup> Keith-Lucas, B. (1980) *The Unreformed Local Government System* (London, Croom Helm), p.76.

<sup>197</sup> Ibid.

<sup>198</sup> Pearce, T. (1756) *Compleat Justice of the Peace, and Parish Officer* (London), p. 60.

beadle), by the parson from the pulpit the preceding Sunday or by the tolling of the church bell (rung by the sexton). As noted in the above quotation, all those paying the parish rate were permitted to attend and vote; this included women if assessed as ratepayers in their own right. In practice however, the majority of meetings consisted of no more than thirty of the more substantial farmers and businessmen (e.g. innkeepers and millers). This itself would vary according to what was due to be discussed at the meeting. For example, the minutes of the vestry of Staplehurst (Kent) records attendances of between 13 to 32 persons, and there was a similar variation in the neighbouring parish of Cranbrook. However, when the issue of the equalisation of the poor-rate came up for discussion the number attending surged to more than one hundred. Due to the numbers, the meeting had to be reconvened in the nearby inn due to the inadequacy of space in the Church. A similar incidence was recorded at Charing (Kent) when some ninety-seven parishioners assembled for the meeting to discuss a proposal to change the methods of administration; a more usual attendance was fewer than ten.

The work of the parish was undertaken by four principal officers: the churchwarden, the overseer of the poor, the surveyor of highways, and the petty constable.<sup>199</sup> The churchwarden's office first began to appear during the thirteenth century as an elected representative of the parishioners. There were "...usually two of them as if to watch one another...In this they mirrored the two representatives summoned to Parliament from the Boroughs and Counties."<sup>200</sup> This reflected the parish as the Burkean 'little commonwealth.' By this period, the normal procedure was for the two churchwardens

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<sup>199</sup> Williams, E. N. (1977) *The Eighteenth-Century Constitution, 1688-1815* (Cambridge, Cambridge University Press), pp. 259-260.

<sup>200</sup> Pounds, N.J.G. (2004) *A History of the English Parish* (Cambridge, Cambridge University Press), p. 184.

to be chosen "...one by the parson, one by the vestry"<sup>201</sup> at the Easter Vestry meeting. They were primarily ecclesiastical officers and as such were admitted to office not by the Justice but by the Archdeacon. In choosing a candidate for churchwarden, the vestry (however it was constituted) had significant independence of choice given that once a candidate had been selected/elected the Archdeacon had no ecclesiastical authority to over-ride the decision of the parish.<sup>202</sup> Occasionally, especially in larger parishes, there might have been three, but this was rare.<sup>203</sup> The 'democratic' mandate of the churchwarden was significant given the responsibilities of this office. Although officially the churchwarden's principal role was to ensure that the physical fabric of the church building remained in good order, within the parish community the office was most commonly associated with the levying and collection of the various local taxes raised to cover the maintenance of the church building and the myriad of other functions designed to support the parish community. The wardens would also often assist the incumbent in his task of regulating morality and reconciling differences within the community.

The role of overseer of the poor came about with the consolidation of the various localised welfare/relief efforts into the Poor Law of 1598 which set out the requirement that 'four, three or two substantial householders' in each parish were designated as the overseers of the poor.<sup>204</sup> Although formally appointed by the magistrate, the candidates were again 'elected' by the vestry. As the title of the office suggested, their duty was to collect the poor rate (although the authority to actually raise the tax rested with the churchwardens), the administration of relief in its various forms e.g. setting

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<sup>201</sup> Keith-Lucas, *The Unreformed Local Government System*, p. 86.

<sup>202</sup> Ibid.

<sup>203</sup> Pounds, *English Parish* (Cambridge, Cambridge University Press), p. 184.

<sup>204</sup> Keith-Lucas, *The Unreformed Local Government System*, p. 87.



men to work, apprenticing children as well as the payment of dole (which could be provided in food, clothing, fuel or in money), encouraging the movement of non-resident vagrants through the parish and deterring/forcibly preventing the settlement of non-residents without appropriate certification. They were also charged with pursuing such certification with the natal parishes of the non-resident. Under the terms of the Statute of Highways, 1555, the surveyor of highways was charged with the inspection and repair of the parish roads (and bridges), giving a report before the Justices and collecting any fines and rates connected with the discharge of these activities. Lastly, the petty constable was the oldest and traditionally the most senior of the parish officers. Again, this officer was nominated by the vestry for appointment by the magistrate. Their duties were to arrest law-breakers, to drive out strangers and vagrants, to search for men wanted on bastardy orders, to find billets for soldiers, to conduct the militia ballot and to see that the alehouse was closed on Sundays. In addition to these principal officers there were a number of minor parish offices which were appointed from time to time by the vestry often to fulfil very specific functions, for example:

- Parish vestry clerks (to assist the parson with divine service and to keep the parish record).
- Sextons (described by N.J.G. Pounds as the "...parochial odd-job man"<sup>205</sup> the role was usually associated with caring for church equipment, ringing the bell and digging graves).
- A beadle (helped to keep order in the church and at the vestry meetings).
- An aleconner (a type of quality control officer who guaranteed the standard of parish ale and bread etc).

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<sup>205</sup> Pounds, *English Parish*, p.190.

- Hedgelookers (responsible for fencing and hedging).

The significance of parish officers is twofold. Firstly, in their 'civic' functions at least, these individuals functioned as a kind of elected secular parson, which helped to constantly reinforce the sense of the church, and by extension the parish, as very much the communal property of the whole of the community. Secondly, the absence of civil restrictions on participation in parish office allowed for a very wide spectrum of the parish community to be 'represented' in the actual discharge of parish duties. In marked contrast to Parliamentary representation which was acknowledged to be in the sole possession of 'gentlemen' (those of independent means); and therefore, liable to the charge that the design of law benefitted rich men alone, the manner in which parish administration was undertaken was one that was highly embedded in, and recognisable to, the community. For the most part, the parish officers were considered to be 'one of their own.'

### ***Women, the Ratepayer Franchise and Parish Office***

Further weight can be added to this distinction between parliamentary (national) and parish (local) administration in terms of the clash between common institutions and the imposition of structures by examining the role of women in the parish structure. From the sixteenth century until the latter part of the eighteenth century (and then in only certain areas), women were recognised as both qualified to vote and eligible to stand for parochial office on the same ratepayer franchise as their male counterparts. Crawford and



Fig. 2.

Mendleson in their work *Women in Early Modern England, 1550-1720* give numerous examples of female parish officials throughout this period, for example; Lucy Seele (1547, Morebath; churchwarden), Jone Morsse (1554, Tynemouth: churchwarden), Thomasine Coombe (1676, Rowe; churchwarden) and Margaret Ren (1690, St. Peter-le-Poor, London; sexton).<sup>206</sup> A more contemporary eighteenth century example could be found in the figure of Miss Ester Hammerton who, on the death of her father in 1730, took up his office as sexton (and the hard physical work associated with the role) of the Parish of Kingston-upon-Thames and continued in the role until her own death 1746.<sup>207</sup>

These examples, and many others were cited by the defence counsels at two important eighteenth-century legal cases which were the first to properly define female rights in terms of engagement in local parish government. The first case took place over the course of five months in 1739 and concerned a disputed election to the office of sexton in the parish of St. Botolph's-without-Bishopsgate, London. There had been two candidates for this office: Sarah Bly; widow of Robert, the former sexton, and John Olive. According to the summary of proceedings when the polling books were examined Bly "...had 169 indisputable votes from male electors with a further 40 from women. In contrast, Olive had 174 votes from male voters with a further 22 given by women."<sup>208</sup> The contest was declared for Bly by the margin of thirteen votes. Despite this clear majority, Olive succeeded in persuading the court to issue a mandamus<sup>209</sup> to overturn the poll on the grounds that "...women were ineligible to vote; and...that

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<sup>206</sup> Patricia Crawford, P. & Mendleson, S. (2003) *Women in Early Modern England, 1550 to 1720* (Oxford, Oxford University Press), p. 50.

<sup>207</sup> Kirby, R. S. (1820) *Kirby's Wonderful and Eccentric Museum* (London, R.S. Kirby), p. 311.

<sup>208</sup> Sarah Richardson, S. (2013) *The Political Worlds of Women: Gender and Politics in Nineteenth Century Britain* (Abingdon, Routledge), p. 84.

<sup>209</sup> A judicial writ issued as a command to an inferior court or ordering a person to perform a public or statutory duty.

even if these female voters were valid, women were not entitled to stand for office.”<sup>210</sup> Given the significance of this ruling in terms of setting a legal precedent for the overturning of centuries of now established practice, the case was referred to the King’s Bench. At the trial Olive’s case was thrown out and Bly’s appointment confirmed. A key argument that was brought to evidence was the very fact that there was already a widespread practice of female parochial office holding across England. The court concluded that “...there having been many cases where offices of greater consequence have been held by women, and there being many woman sextons at that time in London.”<sup>211</sup> The high profile figures of the Countess of Warwick (appointed Commissioner of Sewers) and Lady Broughton (Keeper of the Gatehouse at Westminster) alongside the more humble women who at that time were serving in the office of sexton in the parishes of Hackney, Islington and Stoke Newington were offered as examples of such office-holder women. Such precedents obliged the court to endorse the principle that “...women were entitled to elect parish officials on the grounds that they had an equal interest in the Church as the male parishioners, and therefore they should be permitted to participate in the appointment of those who took care of the parish.”<sup>212</sup> The term ‘Church’ reflecting an understanding of the parish as being both a religious community as well as an administrative structure. This was a point that even the counsel for the defendant, Thomas Bootle, had to concede; “...those who contributed to maintain the elected should be electors.”<sup>213</sup> Such a favourable ruling was however subject to an important qualification. Chief Justice William Lee,<sup>214</sup> giving his views on the case, declared that he was clearly of the opinion

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<sup>210</sup> Richardson, *The Political Worlds of Women*, p. 84.

<sup>211</sup> Ibid.

<sup>212</sup> Ibid, p. 85.

<sup>213</sup> Ibid.

<sup>214</sup> Sir William Lee (1688-1757), served briefly as the Member of Parliament for Wycombe before becoming a Justice of the King’s Bench. He was appointed Lord Chief Justice in 1737 and remained

that "...a woman may be sexton of a parish on the grounds that women had held far higher offices in the kingdom"<sup>215</sup> citing the roles of monarch, Marshal, Great Chamberlain, Great Constable, Champion of England and Returning Officers during parliamentary elections. However, if the case in favour of women's role in parish government was fundamentally based on historical precedent, Lee had to admit that such an argument could not be extended to the voting or service in Parliament citing the historical reality that, unlike in parochial office, "No women has ever sat in parliament or voted for members of parliament and [therefore] we must presume that when the franchise was first created it was confined to the male sex."<sup>216</sup> For Lee, female participation in civil and political life was not one that was necessarily predicted on explicit gender qualification, but rather on an implicit suggestion in the historical precedent. There was no evidence that women were ever officially barred from participation in Parliament from its earliest times, but nor was there any evidence of women ever actually standing as a candidate (although there was ample evidence of female voting).

However, Lee, in offering a qualification which established a clear legal boundary of female 'political' participation, helped to draw focus on an area of growing legal contention since the latter part of the seventeenth century. Crawford and Mendleson posit that it was from this period that it is possible to identify the emergence of a legal consensus which began to apportion a higher priority to "...the preservation of the gender order...than women's proprietary rights" as hitherto had been the case during the sixteenth and early seventeenth century. This increasing willingness to challenge

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in post until his sudden death in 1757. His biographer, Lord Campbell, remarked that he was one who "...certainly stood up for the rights of women more strenuously than any English judge before or since his time."

<sup>215</sup> John, Lord Campbell (1851) *The Lives of the Chief Justices of England, From the Norman Conquest Till the Death of Lord Mansfield* (Philadelphia, Blandchard & Lea), p. 178.

<sup>216</sup> *Ibid.*

female-office-holding from this period strongly suggests that a growing importance was being attached to parochial administration in terms of defining one's personal and local status and identity in the community; and by virtue of this fact reinforcing the centrality of one's relationship to the Church which stood at the centre of this community (a Church which itself was controlled by a male-only ministry). Although there is growing evidence of such challenges taking place in certain parishes, it is important to note that in many others the more traditional deference to property, custom and local contingency continued well into the nineteenth century. It is interesting to point out that there were also areas where legal challenges took a more nuanced approach. In these cases, the legal argument sought to separate a women's right to hold an office from the duties actually attached to it. This argument sat at the heart of the second significant legal case on women in local parish administration heard before the King's Bench in 1788; *Rex vs. Stubbs*. Mrs Alice Stubbs was elected an overseer of the poor alongside two men in the extra-parochial township of Ronton Abbey, Staffordshire. Attempts to argue for her disqualification based on economic status would not stand in this case given that Stubbs was in independent possession of significant property holdings within the parish, far more in fact than her two male counterparts (one of whom was employed as her servant). Instead, it was advanced that, as a woman, the duties attached to the office of overseer was outside of the capability of women. In similar cases elsewhere, the proposed resolution was the stipulation that when certain offices were held by women there was an expectation that they would appoint a male deputy to undertake the actual duties of that office. Although not the primary intention, this convenient sidestepping of the rather tricky issue of deprioritising economic status opened up more opportunities for aspirational males to gain parochial office (and the associated status within the community) but at

the same time afforded the proper respect for local custom and the traditional socio-economic order. The difficulty in trying to remove female rights from parochial engagement, both legally and culturally is reflective of a strong, and in many areas, popular participation (and identification) of women in parish administration. It was a position which would be progressively eroded, not through any widespread grassroots male activism, but actually through the imposed systematising reforms initiated by the Whig ministries of the 1830s.<sup>217</sup>

### ***The Rise of the Select Vestry***

Whilst theoretically conceived as the ‘popular assembly’ in some places the reality was somewhat less ‘popular’ with the introduction of ‘select’ or ‘close’ vestries. Coming into being towards the end of the sixteenth century the ‘select’ vestry emerged in some areas (in particular more densely populated urban parishes) usually in response to the sheer difficulty of trying to manage increasingly complex parochial administration through the medium of the large, rowdy and often poorly organised parish meeting. A pamphlet published in 1754 in answer to an attack on the ‘select’ vestry model put forward the following arguments in their favour; “...in parishes where the inhabitants are numerous, the power, thus entrusted to a few, is of absolute service to the

community. The decision of affairs, which is attended with many difficulties, where numbers are admitted to decide, becomes easy to the discretion of a few...A vestry...is made select to prevent the

omen from parochial office brought about an end to their role of the Church-centred parish, it did not act as a brake on participation in those organisations promoting the more rigorous order upon which the institution of the Church-centred parish was Society for the Suppression of Vice and the Society for the



(Fig. 3) John Phillips' 'One of the Select Vestry' 1829  
 BM Satires / Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum

disorder which is natural to variety of opinions; a thing inseparable to the multitude.”<sup>218</sup> It was initially conceived (at least in theory) as a scheme of ‘popularly’ endorsed delegation to an executive committee of five or six (although the numbers fluctuated significantly across the period), either elected by the vestry meeting or assuming the role with nominal sanction on the part of the parish, who would take on the majority of the routine decision-making without the need for reference to the wider collective parishioners at a general meeting. Somewhat inevitably, the deliberately exclusive nature of the ‘select’ vestry led to it being popularly associated with venality, nepotism and corruption; in particular with regards to the control of nominations to parish office. More often than not the ‘select’ vestries soon dispensed with even the tacit recognition of their authority being that of a delegation from the parish meeting – that is to say the ‘democratic element’ – and degenerated into ‘close’ vestries where a small group of usually wealthier men<sup>219</sup> established themselves in offices for life through a system of self-nomination and derived benefit through the expropriation of parish funds for their own purposes. London in particular had more than half of its vestries in ‘select’ hands as early as 1638.

The ‘select’ vestry represented the very antithesis of the notion that the parish (and by extension the Church) was an institutional structure which was commonly owned and, to an extent at least, administered by members of that same community. Popular challenges to this model of parish administration are therefore very helpful in gaining

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<sup>218</sup> Bouqult, J. (1754) *The Select Vestry Justified* (London), p. 19.

<sup>219</sup> A satirical print of 1829 entitled ‘One of the Select Vestry’ portrays a grotesquely fat and bejewelled Lady Conyngham (Elizabeth Conyngham, the Marchioness of Conyngham, the last mistress of King George IV; 1769-1861) declaring ‘we don’t choose to let any of you see the accounts.’ How far this is reflective of wider elite female inclusion within the select vestry system remains open to question. The choice of Conyngham is also worthy of note in that throughout her life she was widely ridiculed by many of her aristocratic contemporaries as being vulgar and greedy; thus, reinforcing the association between the select vestry model and corruption. Print by John Phillips (S. Gans, London: 1829).



an insight into how contemporaries understood 'the parish' and how they believed it was supposed to operate.

Three specific lines of attack emerge from the various media used to advance the anti-'select' vestry message. Organised campaigns for legislative intervention to abolish 'select' vestries emerged from the end of the seventeenth and first half of the eighteenth century; for example, in 1693, 1696-97, 1710, 1715-16, 1732 and 1742.<sup>220</sup> The latter failed attempt was the focus of a well-publicised lobbying effort in which a committee of inquiry gathered a substantial dossier of evidence documenting abuses of the 'select' vestry system then in operation in five parishes within the City of Westminster which concluded with an appeal to Parliament observing that "...they were...deprived of all hope of relief from the Courts of Justice, against this [the select vestry] exclusive and excessive authority, void of all control and privately conducted and vested in a few, who perpetuated their government by arbitrary election of the members of their own body."<sup>221</sup> This brings us neatly to the first of these themes; popular constitutionalism.

In its defence of the select vestry model, the author of the 1754 pamphlet ridicules the anti-lobby's argument that this model of parish administration represented a form of tyranny on the grounds that "...the House of Commons should give to a select vestry a Power superior to their own; it is, in short, to give what they never had, which is a sort of gift that I might be said to give if I should bequeath legacies...to my relatives from lands situated on the Moon."<sup>222</sup> One can discern in the writer's decision to focus their ire on this particular aspect of the opposition's argument an attempt to try to

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<sup>220</sup> Williamson, G. (2017) 'From Behind the Counter: The 1742 Select Vestry Campaign,' *The London Journal*, 42:3, p. 222.

<sup>221</sup> Ibid FN

<sup>222</sup> Bouqult, *The Select Vestry Justified*, p. 19

undermine the legitimacy of the argument by exposing the mob's ignorance of the constitutional structure of the nation (and thereby further supporting the belief in the need to remove popular participation from parish administration). But more importantly, the writer reveals their own ignorance of the distinction between the structure of governance and the lived experience of authority for the majority of the population. As noted previously, for the majority of the population their experience of governance was through the Church-centred parish administration. It was this structure which acted as the validating authority for public/administrative action within the community, not Parliament. The charge of tyranny is therefore a pain that is felt by the parish community because it is identified with the most ubiquitous and recognisable location of authority and governance. It is also one in which the community had historically exercised agency; something the select vestry had removed. As another satirical pamphlet, this time from 1808, put it, "The institution of a select vestry is a species of Oligarchy of the very worst kind."<sup>223</sup> Where once all parish business had been conducted publicly and validated by 'democratic' (heavily caveated) mandate of the parish-general, whether by corrupt influence or legal chicanery "Those who are the leading men [in the parish]...by means of cunning and insinuating agents connive to themselves every species of Parochial interest and it...is in vain for any one independent parishioner to attempt to stop the torrent of influence thus acquired."<sup>224</sup> To the majority of the parish community this would appear to be a betrayal of the constitutional norms (as they were understood through the parish structure) in which communal decision-making (however theoretical this may have actually been in reality) was replaced by an exclusive and unregulated control by a

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<sup>223</sup> Anon, (1808) *Parish-feasting, or A new year's present, to those who may understand it* (Westminster), p. III.

<sup>224</sup> *Ibid*, pp. III & IV.

minority of interests. The vestrymen, now freed from the 'democratic' check of the common parish led, according to the anti-lobby, to an almost inevitable slide towards financial impropriety. This argument was all the more powerful because whilst the select vestry removed the validating power of the commonality, it left the parochial rating system in place. This brings us to our second theme.

The American rebel cry of 'no taxation without representation' would be entirely recognisable to the anti-lobby. A parochial rating system became a central plank in the mobilisation of opposition against the select vestry system. Daniel Defoe (then using the pen-name Andrew Moreton) helpfully set out the argument in his *Parochial Tyranny* (published in 1727) in which he drew out the fundamental point of contention between local and national systems of taxation; "The King cannot raise money without his Lords and Commons nor they without the Royal Assent, so happy are we in our present establishment; but our Parish Tyrants are more arbitrary, they themselves oppressed, the Middling People are squeezed to the last drop."<sup>225</sup> The important point to note here is Defoe's reference to the 'Middling People.' As he explains' "The King's Tax is paid by the landlord who is indeed most able; but the poor Tenant is squeezed by the Parish Harpies, who pay at least as much as the poor, as his landlord pays to the King."<sup>226</sup> Parish rating, unlike the taxes levied by Parliament (which were usually based on consumption) are direct in nature; that is they are paid by all regardless of economic status, justified on the grounds that each member of the community benefits from the religious, social and legal protection afforded by the parish administration. The universal nature of the parish tax conferred a powerful sense of ownership within the community, this ownership being exercised through the right to participate in

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<sup>225</sup> Defoe, D. (1727) *Parochial Tyranny, or The House-Keeper's Complaint* (London), p. 3.

<sup>226</sup> Ibid.

parochial decision making (and office holding); this included the often-contentious issue of rate-rises. The introduction of the select vestry deprived the ownership of decision-making from the majority of rate-payers. The 1808 pamphlet made this point explicitly; “In many instances Parochial Rates are of greater amount than the sums paid by individuals towards the aid of Government in the administration of National Affairs; and if the comparison may be allowed, We have a check upon Constitutional Power on the one hand while licentiousness is altogether unchecked on the other.”<sup>227</sup> Such ‘licentiousness’ was most vividly portrayed in opposition literature using the imagery of food.

Visual and literary references to food, drink and the implications of over-indulgence (ruddy complexion, being overweight and gout) were all too common themes in the satirical representation of the select vestry. For example, the 1808 pamphlet cited above was entitled *Parish-feasting*.<sup>228</sup> Thomas Rowlandson’s 1806 etching ‘A Select Vestry’<sup>229</sup> shows five portly clergymen consuming large quantities of good food and drink in the vestry room whilst a footman kicks away a family of beggars from the door and towards a workhouse. This image proved one of the most enduring as twenty-two years later, Thomas Jones’ ‘Select Vestry Comforts’<sup>230</sup> presents an almost identical, but enhanced image, in which eight very large vestrymen sup at an overladen table whilst the Beadle bars the doorway, shouting through the closed door ‘You can’t come in – ‘the Select’ are engaged.’ Meanwhile, the presiding chair, a clergyman, urges the members not to be afraid of the amount of food before them, rather it was his goal to convince ‘the parishioners we can do our duties at the table if we do not at the Board

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<sup>227</sup> Anon, *Parish-feasting*, p. IV.

<sup>228</sup> Ibid.

<sup>229</sup> Thomas Rowlandson’s ‘A Select Vestry’ 1806.

<sup>230</sup> Thomas Jones’ ‘Select Vestry Comforts’ 1828.

[of Guardians].<sup>231</sup> On the wall hangs a scroll in which all of the key arguments against the select vestry are rehearsed (although they are presented as positive resolutions on the part of the characters in the image);

That when the minds of the Select are engaged in Parochial affairs their bodies must be supported...That the Select shall have absolute power over their fellow parishioners to impose any rate or tax on them (the parishioners) which they (the Select) shall think proper...That the Select shall not submit their books to the inspection of the parishioners, nor render any account in any manner for the waste & expenditure of the aforesaid parishioner's money.<sup>232</sup>

John Phillip's decision to associate the notoriously greedy and self-advancing Lady Conyngham with the select vestry in 'One of the Select Vestry' (1829)<sup>233</sup> similarly speaks to a narrative in which the select vestry system was by default merely a mechanism for the corrupt satisfaction of an elite interest.

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<sup>231</sup> Ibid.

<sup>232</sup> Ibid.

<sup>233</sup> John Phillips' 'One of the Select Vestry' 1829.



Above: (Fig. 4) Thomas Rowlandson 'A Select Vestry' 1806 Courtesy of the Royal Collection Trust

The significance of this imagery lies in the politically loaded nature of food during this

period. As identified by Rude', the most numerous and persistently widespread

incidence of social disorder was the food riot. Between 1735 and 1800 two thirds of



the outbreaks of civil disturbance related to shortages or sudden increases in the price

of food.<sup>234</sup> Given that the majority of England's population throughout this period were "...small consumers dependent on the cheap and plentiful supply of bread, and also of meat, butter and cheese,"<sup>235</sup> it is not at all surprising that ensuring a well-regulated food supply became a principal matter of concern for national, and more importantly, local administration and policy. This was an area of policy in which the concept of the 'moral economy;' that is an economy embedded within an institutional structure of social relations rather than operating through an abstract system of laws, was indivisibly linked to the Church-centred parish being as it was the bastion of communal wellbeing. The select vestry served to fracture this association between the parish and the defence of the moral economy as administration by communality was replaced in some areas by administration by narrow interest. Narrow interests became far more willing to entertain more abstract structural (rather than palliative) conceptions of improvement; for example, political economy, which served their specific sectional interests alone at the expense of the community.



Above: (Fig. 5.) Thomas Jones' 'Select Vestry Comforts' 1828 BM Satires / Catalogue of Political and Personal Satires in the Department of Prints and

<sup>234</sup> Rude, G. (1966) *The Crowd in History, 1730-1848* (New Jersey, John Wiley & Sons), p.36.

<sup>235</sup> Ibid.

This association between the Church-centred parish administration and a narrow sectional interest became increasingly apparent during the early part of the nineteenth century with the passage of what collectively became known as the Sturges Bourne Acts (named after their promoter William Sturges-Bourne; a long-time advocate of political economy and chair of the Commons committee on the reform of the Poor Laws, and son of a clergyman). Made up of two separate pieces of legislation, the Act for the Regulating of Parish Vestries and an Act to Amend the Law for the Relief of the Poor were passed in 1818 and 1819 respectively. The first of these acts deliberately set about to undermine the broad-based ratepayer franchise within the open vestry system through the introduction of plural voting based upon the rateable value of the property held within the parish. In doing so the popular sense of common-ownership and local identity which the open vestry system helped to inculcate was placed under intense pressure as the controlling hand was very much taken away from the community corporate and into the hands of one specific socio-economic group within the community. The second piece of legislation established the status of the clergy as ex-officio members of the vestry (formalising the previous customary arrangement). In what appeared to be an attempt to bolster the position of the Church within the parish administration; preventing the removal of the incumbent from membership of vestry by legal statute, the local clergy actually became legally identified as being part of the 'select' and not someone who had the responsibility to speak and act on behalf of the parish community as a whole. They were no longer 'pastor' and were now 'the reverend gentleman.'

## ***Tithe Rights***

The implications of this changing status within the community were given significant reinforcement by the gradual shift in the economic status of many of the clergy from the latter part of the eighteenth century. This was a time of increasing social unrest and disorder due to the effects of long-term economic changes which had begun at the end of the previous century and had now begun to impact directly upon society at large. During the first half of the eighteenth century agricultural production had begun to increase significantly due to "...investment in new techniques of 'convertible husbandry,' including sophisticated rotations, improved fertilization and drainage"<sup>236</sup> and also through the expansion of arable farming from "...heavy clays of the Midland Plain, to the lighter and more suitable soils of the South and East."<sup>237</sup> With the increase in supply came a sustained rise in real wages and a corresponding increase in the standard of living – all of which was assisted by a relatively restrained growth in population. The consequent rise in demand for non-agricultural goods further buoyed the economy. All in all, the years up to 1750 saw "...only three significant years of harvest failure, dearth and high prices; in 1709-1710, 1728-1729 and in 1740."<sup>238</sup> However, these good years inevitably gave way to bad as the benign effects of economic expansion - in particular population growth - after 1750 led to a higher demand for food and a steady rise in grain prices which now began to outpace average wages. This had the effect of placing "...a greater proportion of the working population closer to fear of want."<sup>239</sup> Evidence of this can be found in the year-on-year rise in the

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<sup>236</sup> Kerridge, E. *The Agricultural Revolution* (1967), pp. 181-267. Et al Hilton, B. (2008) *A Mad, Bad & Dangerous People? England 1783-1846* (Oxford, Clarendon Press), p. 5.

<sup>237</sup> Ibid.

<sup>238</sup> Hay, D. & Rogers, N. (1997) *Eighteenth Century English Society* (Oxford, Oxford University Press), p. 72.

<sup>239</sup> Ibid.

cost of poor-relief after 1770 (a rise which would peak in 1818<sup>240</sup>). In addition to the pressures of population growth there was also a sharp increase in incidences of harvest failure, which created the knock-on effect of short-term price increases, and the post-1780 impact of demobilization of the troops returning from the American Rebellion leading to the flooding of the unskilled and semi-skilled labour market – a market many of the rural and urban poor were reliant upon.

Set against this worsening socio-economic situation the shifting role of the bishops, and more broadly the Church for which they stood, to that of 'guardians of orthodox political order (and the prevailing socio-economic conditions which this order rested upon) touched the life of many of the urban, but especially the rural poor, directly in a number of ways. Foremost among these was the impact felt through the Church's great interest in agriculture and property; manifested most visibly in the possession of the tithe. Since the ninth century the Church in England had instituted tithing in one form or another as a means by which the Church sustained both its clerics and its ministry in the parishes. However, as the agricultural landscape and yields began to increase through scientific improvement, so the Church and clergy believed it was entitled to a proportional increase in tithe. Thus, from the second half of the eighteenth century the number of tithe dispute begins to increase markedly. A study by Eric J. Evans posits that these disputes were important for two main reasons; firstly, "...clergymen were becoming increasingly aware of the need to realise or preserve the value of their tenth at a time when agricultural fortunes were beginning to pick up after a long period in the doldrums."<sup>241</sup> This had the effect of provoking the angst of the yeoman class as they, in particular, felt disproportionately taxed in contrast to the now

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<sup>240</sup> Ibid.

<sup>241</sup> Eric J. Evans (1975), 'Some Reasons for the Growth of English Rural Anti-Clericalism: 1750-1830,' *Past and Present*, 66, p. 86.

emergent industrial and commercial classes – a reflection of the continuing agro-centric nature of an economic system largely still medieval in structure. And secondly, that the “...diffusion of scientific knowledge in agriculture and the growth of new crops...”<sup>242</sup> was suddenly drawing in even the lowliest of cottagers into the tithe-system for the first time.

Turning first to the issue of tithe rights, the contemporary commentator Quaesitor wrote in 1798:

Between the clergy and the laity tithes have been the causes of incurable enmity and endless disputes. Satan himself could not have devised a greater source of mischief in the Christian world than the payment of tithes...It is...a great hardship on a respectable, conscientious clergyman, to be placed in a situation which he must either quarrel with his parishioners or greatly injure his own family.<sup>243</sup>

While a defender of the Established Church wrote of an emergent new trend in 1782:

Previous to the last thirty years the clergy, whether from moderation, indolence or ignorance of the value of their benefices were contented with an inadequate share of their dues; since that period, they have been more attentive and better informed and have therefore made considerable progress in augmenting their composition for tithes.<sup>244</sup>

And in an 1806 report on the state of agriculture in Lincolnshire, it was mentioned that “Tithes are high estimated, and looked after much more sharply than hitherto has been customary.”<sup>245</sup> In all these examples reference is made to a shift in the previously established practice of direct tithe collection from the latter part of the eighteenth century. Throughout the late seventeenth and early eighteenth centuries the economic

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<sup>242</sup> Ibid.

<sup>243</sup> *Mouthy Magazine*, 1798, p. 112.

<sup>244</sup> Anon. (1782) *Observations on a General Commutation of Tithes for Land or a Corn Rent* (London), p.5.

<sup>245</sup> *Farmer's Magazine*, vii (1806), p. 549.

conditions had been stable, and this had allowed for parish clergy to reach local agreements with the tithe-assessed parishioners to provide "...fixed composition or modus in place of tithe."<sup>246</sup> Such agreements of course had numerous advantages for the tithe-owner; whether clergyman or lay-appropriator. It was convenient to be able to collect "...a cash sum without disagreeable haggling or time-consuming collection in kind"<sup>247</sup> and it reduced immeasurably "...the pressures brought to bear on priests by their secular patrons and parishioners."<sup>248</sup> However, stability and ease inevitably served to foster an apathy which had the effect of turning what had been intended to be temporary or regularly renegotiated settlements into a tradition.

The unfortunate result of this was that "...such agreements gained greater permanence than originally intended."<sup>249</sup>As the economic situation began to turn negative post-1750 and inflation began to erode the value of the fixed compositions, clergymen and lay-appropriators began to press for the re-evaluation of their tithe-rights and the more forthright assertion of these rights in an effort to maintain their socio-economic position against a worsening economic situation. This of course had the effect of increasing anti-clerical feeling among both rural and urban (although to a lesser extent) society. Disputes tended to take two forms in particular; around new crops and enclosure. With the development of new agricultural products, partly through scientific and technical advances, and the introduction of new crops during the first half of the eighteenth century, it is not surprising that the tithe-owners were eager to claim a proportion of the profits. In this claim the tithe-owners found an unlikely ally in the secular courts. Given that there were a large number of lay-gentry

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<sup>246</sup> Langford, P. (1998) *A Polite and Commercial People, England: 1727-1783* (Oxford, Clarendon Press), p. 453.

<sup>247</sup> Ibid.

<sup>248</sup> Ibid.

<sup>249</sup> Ibid.

with a significant interest in tithes “...generations of Whig lawyers consistently treated ecclesiastical law on a strictly secular basis, and dealt with church lands as property like any other;”<sup>250</sup> which of course it was not. The result was that, taken from the perspective of secular law with regards to property rights, “...all produce nurtured by the soil was titheable and [the courts] made no distinction between [produce] which had been more or less amicably tithed for centuries and those which had been [recently] introduced.”<sup>251</sup> Great objection was nevertheless raised against the expansion of the tithe into non-traditional produce, particularly given that in some incidences the farmer/landowner had invested heavily in improvements to their land in order for new crops to be raised. Understandably they “...regarded it as unjust that the tithe-owner should take his tenth of the extra produce without bearing any of the burdens of the additional cost.”<sup>252</sup> Put simply it was seen as a barrier to agricultural improvement. A case in point was *Bree v. Chaplin* (1775), Charles Chaplin, the rector of the parish of Racton in Lincolnshire, “...disputed the customary dues of £15 per annum. The principal landowner had found it worthwhile to invest £12,000 in improvement, with consequently high profits. The Rector of Racton sought a share of the proceeds and insisted on his right to collect tithes in kind valued at £200 per annum.”<sup>253</sup> This was in spite of the fact that “...though the respondent is called a rector...there has not been in [the parish] any church or place of public worship, or any parsonage house, any resident minister, or any divine service within the time of memory...The rectory...is an absolute sinecure.”<sup>254</sup> The court nevertheless found in favour of Chaplin’s claim.

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<sup>250</sup> Ibid.

<sup>251</sup> Eric J. Evans (1975), ‘Some Reasons for the Growth of English Rural Anti-Clericalism: 1750-1830,’ *Past and Present*, 66, p. 87.

<sup>252</sup> Ibid.

<sup>253</sup> Langford, *A Polite and Commercial People*, p. 454.

<sup>254</sup> *All England Law Reports* (LexisNexis Butterworths, London), p. 134.



This illustrates that it was not only the development of new techniques which led to disputes; the tithe-rights to new crops were also closely fought out in the courts. A case which drew particular public attention was that of *Adams v. Hewitt* (1782). The litigant, the Vicar of Kensington, sought to press a claim of tithe on the niche products of "...pines, melons, hothouse plants, greenhouse plants and exotic plants, shrubs, trees, or roots"<sup>255</sup> then being cultivated "...for the wealthy householders of Westminster, and won his case."<sup>256</sup> Meanwhile the incumbent of Totworth, in the county of Gloucestershire, in the case of *Bosworth v. Lambrick* (1779) suffered the indignity of having "...human urine and pigs' dung added to his milk. The roads which he used to collect the churns were blocked and the churns themselves were hidden in impenetrable hedges or put out on the wrong day."<sup>257</sup> Such was the resentment generated amongst the Totworth parishioners towards their priest when he insisted on the collection of tithe in kind rather than accept, what had hitherto been, their traditional composition. It is needless to say that such behaviour was condemned by the Courts. These are just three examples of such tithe disputes in which the secular courts ruled in favour of the clergy. There are many more such examples. In 1782 alone there were 700 tithe cases recorded in Westminster Hall, and of these 660 ruled in favour of the clerical claims.<sup>258</sup> References to such disputes can also be found in clerical diaries during this period. The Revd. John Skinner, Rector of Camerton (Somerset) from 1800 until his death in 1839, recounted the following incident on 6<sup>th</sup> April, 1811;

I was going to call this morning on William Gould Jnr, to ask whether he would pay the composition for the tithe for this last year, as he had promised to do it on Monday and had failed

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<sup>255</sup> Ibid, p. 51.

<sup>256</sup> Langford, *A Polite and Commercial People*, p. 454.

<sup>257</sup> Ibid.

<sup>258</sup> Anon. (1782) *Observations on a General Commutation of Tithes for Land or a Corn Rent* (London), p. 7.

so doing. Saw Joseph Gould in his garden, asked him when he meant to pay his tithe; he said, someday next week. I mentioned his brother having failed, and said I was sorry to take legal steps to get my dues but must if I could not without; that I was tired of asking the tithe payers for money.<sup>259</sup>

And in the recollections of Erskine Neale in his *The Living and the Dead* (1829), when he recounts the story of the rigorous application of legal rights against established practice within the parish; “In the parish of Cornwood usage had established an offering called a ‘smoke penny.’ Adeane [the curate] trotted round the parish and collected his [the vicar’s] smoke pennies with great success.”<sup>260</sup> However, on reaching the home of a retired weaver who happened to possess three fireplaces, the dutiful curate was obliged to demand three pennies from the householder. This the weaver refused on the grounds that it had been common practice in the parish to pay only per household, not per hearth. Adeane was forced to challenge the weaver on this matter as he had been instructed to look over the original legal document which established the offering before undertaking his errand on behalf of the vicar. The weaver dismissed the particularities of the ‘legal’ document in favour of what he believed to be the established parochial custom. Through the invocation of the law over custom, the newly arrived incumbent was essentially seeking to assert his individual rights against that of the communality. A communality which looked to the Church, and its incumbent, as the principal defender of customary practice. This was the same line of argument pursued by the young Richard Oastler, in what was probably one of his first forays into political agitation, when he led the opposition to the tithe demands of the new Vicar of Halifax in 1827. In the widely publicised *Vicarial Tithes*, Oastler drew out the difference

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<sup>259</sup> Skinner, J. (1971) *Journal of a Somerset Rector, 1803-1834* (Oxford, Oxford University Press), p. 62.

<sup>260</sup> Neale, E. (1829) *The Living and the Dead, by a country curate* (London, Henry Colburn), p. 99.

in approach between the recently instituted incumbent, the Revd C. Musgrave, and those of his predecessor, the Revd Dr. Colthurst. In the case of the former, his arrival in the parish was proceeded by the presentation of a legal demand for the collection of small tithes; in addition to those that it had been the parish custom to provide and made it clear that his claims were indisputable before the law (represented by a legal agent). This was in marked contrast to Colthurst for "...when he was informed by certain officious individuals, that, in their opinion he had a right to the small tithes"<sup>261</sup> he was sure to make his own careful study of the legal case presented by these individuals. Whether he found the claims favourable or not, Oastler declared that "...equity and justice would not allow him to enforce the claim...and he resolved, whatever the advice of his 'worldly-minded friends might be, he would not destroy and scatter the sheep of the pasture over which he had been appointed shepherd."<sup>262</sup> Oastler's use of the terms 'equity' and 'justice' point to a recognition on the part of Colthurst of his role as guardian of the community, and its common institutions/customs. The assertion of long neglected legal claims, whilst 'legal' in terms of an objectively assessed entitlement under secular law, no longer had the 'sanction' of the community. That is they were claims that did not have the popular constitutional endorsement through the parish structure – a structure at the apex of which sat the incumbent. Oastler gives the impression that Musgrave is either unable or unwilling to comprehend this understanding of the role of the incumbent (and the Church) within the parish structure. Of a different generation to that of his predecessors, the category error by Musgrave points to a systematising outlook which started to favour rationalised/objective structures over those of customary or inherited

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<sup>261</sup> Oastler, R. (1827) *Vicarial Tithes, Halifax: A True Statement of Facts and Incidents* (Halifax, P. K. Holden), p.8.

<sup>262</sup> Ibid.

tradition. "If the Parish took the opinion of Counsel, and the opinion should be that these things which he claimed were his due, then no reasonable man would refuse to admit his claims;" the recourse to the immutability of the law (like Scripture) replaced local negotiation.

Doubtless serving to enhance or maintain the socio-economic situation of individual clergy – although it is important to note that an argument could be made that in pressing these rights it not only affected the incumbents as tenants-for-life, but also those that would succeed them – the apparent willingness and enthusiasm of some clergymen in pursuing their tithe-claims in the face of very real public hostility served only to fracture parochial harmony, driving a wedge between the clergy and their parishioners. Such an approach compounded further the broader perception of a Church as a more willing servant of 'order' than a paladin of 'justice'.



(Fig. 6.) *The Tithe Pig*  
By Thomas Rowlandson (1790)  
Courtesy of The Royal Collection Trust RCIN 810369

Such a charge had a particular resonance among those who had only recently found themselves drawn into the tithe-system with the extension of claims beyond the traditional class of yeoman farmers. During this period it was becoming increasingly common for rural labourers to supplement their meagre earnings by growing potatoes on their small allotments

or gardens (normally of no more than a quarter of an acre); as reported by a witness in a Cheadle (Staffordshire) tithe dispute, "...it was the practice therefore to give over

small portions of their (landowners') estates for cultivation by their labourers."<sup>263</sup> Inevitably however, as potatoes became more valuable, so the "...tithe-owners' interest in them increased. For example, in Lichfield during the 1770s, potatoes commanded the price of eight shillings an acre, significantly more valuable than even corn. Cultivation was particularly profitable in areas which served as market-gardens for the growing industrial areas. As early as 1741 the incumbent of Baswich (Staffordshire) was attempting to claim his tenth of potatoes "...from persons who planted small parcels for the use of their family."<sup>264</sup> In another early case the Vicar of Mayfield (Staffordshire), Court Grenville, went as far as to engage legal counsel on the matter and was "...assured...that he could claim the tithe whether potatoes were grown in the fields or in small gardens, and that potatoes and turnips consumed in the family of the owner were not exempt."<sup>265</sup> The Revd Thomas Blundell, Rector of Halsall (Lancashire), finally established his right to potato tithes in the Court of Exchequer in 1810 "...after a long dispute during which his predecessor, Glover Moore, suffered a series of reverses at the hands of two hundred parishioners who had agreed to share the cost of defence."<sup>266</sup> As the relative value of non-traditional crops grew an increasing number of disputes came to involve these crops; in particular potatoes, and this often hit the poorest in society the hardest. A minister who claimed to represent the merciful and loving Church was at the same time employing the secular law-courts in order to legitimate their plundering the often-pitiful gardens of the rural labourer without the least pang of conscience. It is little wonder that in areas where such disputes were fought out congregations declined and the moral and socio-political

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<sup>263</sup> Public Record Office, E112/2242, reply of Thomas Wilson.

<sup>264</sup> Ibid.

<sup>265</sup> William Salt Library, HM/11 (1 and 2)/41.

<sup>266</sup> Eric J. Evans (1975), 'Some Reasons for the Growth of English Rural Anti-Clericalism: 1750-1830,' *Past and Present*, 66, p. 93.

authority of the Established Church and its ministers was self-compromised and open to challenge from the emergent Evangelical movement and the rise of Methodism. The point was alluded to by John Curwen in his Tithe Exemptions Bill of 1817;

The respectability of the church is an object in which the nation at large is deeply concerned. Fully to appreciate the consequences of the extensive litigation of late years, it will be for the House to consider that...the churches have, in many cases been deserted. To such lengths have hostilities, in too many cases, been carried between the pastor and their flocks! Thus, is that respect and veneration so necessary for the due discharge of sacred functions broke through and destroyed.<sup>267</sup>

### ***Enclosure and Commutation of Tithe***

In parallel with the renewed focus on tithe obligations was the emergence of new enclosure legislation. As Evans points out "...for those who regarded tithe with distaste or repugnance, enclosure offered a convenient solution."<sup>268</sup> W.R. Ward calculated that of the 3,128 Enclosure Acts which came into law between 1757 and 1835, provision for tithe commutation was included in 2,200 of them.<sup>269</sup> In addition to this, Ward's research pointed to the fact that commutation was employed most often in the enclosure of open fields; common-land and waste-land remained within the purview of the tithe. The commutation clauses within an Enclosure Act usually converted the tithe into allotments of land or monetary payments – a popular form of payment being in corn rents; pegged at the fluctuating price of grain. In theory the commutation of tithe by enclosure permanently removed the onerous and highly divisive practice of tithe demands from parish-life, while at the same time improving the socio-economic status of the clergy. However, commutation by enclosure, although banishing the

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<sup>267</sup> Curwen, J. (1817) *Tithe Exemptions Bill* (Hansard: 1817)

<sup>268</sup> Ibid, p. 94.

<sup>269</sup> W. R. Ward (1965), 'The Tithe Question in England in the Early Nineteenth Century,' *Journal of Ecclesiastical History*, XVI, p. 70.

potential menace of tithe, served to undermine the moral and socio-political authority of the Church in a different and probably more significant manner than any tussle over potatoes ever could.

It should be kept in mind that the advantage gained by commutation-enclosure was not necessarily pecuniary – there is no reason to suspect that the grant of an allotment was any more profitable than if the tithe-owner continued to demand a tenth value of the produce –whether in kind or in money. Instead, the advantage was the sometimes-significant elevation of status and security of position which the exchange of tithe for land brought about. For the first time the office of incumbent became one of independent landowner, significant figures within the local parish community. Many clergy now considered themselves as at least able to meet their leading secular parishioners on equal terms. Having acquired such a position, many took to the responsibilities of a gentleman farmer or the leisurely existence of an absentee landlord with some gusto. Yet one would be hard-pressed to make the case that either role was particularly suited to someone claiming to be a minister of the divine word. There were some observers who took a less prejudicial view; for example, ‘S.T’ presented the image of the conscientious clergyman “...amusing his leisure with the delightful projects of agricultural improvement.”<sup>270</sup> However, others expressed concerns at the possible neglect, even estrangement, of an incumbent from his parochial duties due to their preoccupation with their new status and role as landowner. This was a concern particularly elucidated by Tory writers, ‘T.S.’ opined that “...fears might be entertained, even by the sober and judicious, of their acquired thereby too great an influence in the state and employing it to aggrandise and enrich

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<sup>270</sup> *The Commercial and Agricultural Magazine*, III (1800), pp. 32.

their order.”<sup>271</sup> Another commentator, Edward Edwards posited quite simply that possessing landed property might divert the clergy from their parochial duties.<sup>272</sup>

There was a certain amount of cruel irony in parishes where commutation-enclosure took place in that, while the ending of the tithe collection allowed an incumbent to avoid necessarily exciting the angst and disdain of the propertied classes within the parish, his new position as that of ‘landed gentleman’ had the potential of actually alienating still further the rural poor of his community. If one were to turn to the reports of bishop’s visitations around this time evidence begins to emerge of a decline in Church attendance by those of the labouring classes, for instance; the report of Shute Barrington’s visitation of Salisbury in 1783. In this report it was noted that complaints had been heard about those individuals who “...too commonly absent themselves from public worship.”<sup>273</sup> Similarly the Vicar of Aldbourne (Wiltshire), a John Elderton, stated that “...there are numbers of the poor who refrain from attending the public service from want of raiment – some who are habitual Sabbath-breakers. The farmers and people of good condition, in point of circumstance, are constant frequenters of the public service.”<sup>274</sup> Such a situation was compounded by the fact that even where there were eager souls seeking salvation, there may not even be a minister resident to provide it. Parochial non-residence and the problem/necessity of plurality of livings was something which was now thrown into even greater perspective by the enclosure movement. An altogether sharper division could now be drawn between those whom

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<sup>271</sup> ‘Tithes Defended’, *Farmer’s Magazine*, III (1802), p.425.

<sup>272</sup> ‘The Rights of the Church of England to her Endowments Vindicated,’ *Quarterly Review*, XLII (1830), pp. 105-147.

<sup>273</sup> Ransome, M. (1972) (ed.), *Wiltshire Returns to the Bishop’s Visitation Queries, 1783* (Devizes, Wiltshire Records Society Publication), pp. 20-21.

<sup>274</sup> *Ibid.*



radicals denounced as the "...bloated clergy, who seemed to luxuriate at the expense of their impecunious colleagues."<sup>275</sup>

While advantageously placed rectories received grants of hundreds of acres after commutation, the vicarages and curacies were left to makeshift with a pittance of a stipend or very meagre yields from small tithes. It was a division which attracted much literary comment throughout this period and after; George Eliot's fictional 'Amos Barton,' the incumbent in her novel *Scenes of Clerical Life* published in 1857, struggled on £80 per annum to meet the expenses of a wife, six children, the need to always "...exhibit himself...in a suit of black broadcloth, such as will not undermine the foundation of the Establishment....[and the requirement for] frequent priestly consolations in the shape of shillings and sixpences."<sup>276</sup> This contrasted with the absentee pluralist Vicar of Shepperton "...who executed his vicarial duties by pocketing the sum of £35 per annum [net surplus and] running into debt far away in a northern county."<sup>277</sup> And Trollope's 'Mr Quiverful,' the fecund rector of Puddingdale, can be compared to the generously remunerated but under-employed Septimus Harding in *The Warden*. This was also apparent in newly rebuilt, palatial, rectories and parsonages; for example, the significantly expanded Rectory of Upper Slaughter (Gloucestershire),<sup>278</sup> the Revd Sydney Smith designed house at Foston-le-Clay (Yorkshire)<sup>279</sup> and the grand residence at Bigby (Lincolnshire).<sup>280</sup> However, the distinction between 'privileged' and 'non-privileged' clergy went beyond just financial/proprietary considerations. The status and economic independence that

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<sup>275</sup> Evans, Eric J. (1975) 'Some Reasons for the Growth of English Rural Anti-Clericalism: 1750-1830,' *Past and Present*, 66, p. 100.

<sup>276</sup> Eliot, G. (1998) *Scenes of Clerical Life* (London, Penguin), p. 10.

<sup>277</sup> *Ibid*, p. 9.

<sup>278</sup> Residence of the Revd. Francis Edward Witts during his incumbency between 1808-1854.

<sup>279</sup> Savidge, A. (1964) *The Parsonage in England, Its History and Architecture* (London, SPCK), p.85.

<sup>280</sup> *Ibid*, p. 96.

commutation conferred on the incumbent qualified them for "...the performance of [additional public] duties which [now] wedded them firmly to the [cause of the] political establishment."<sup>281</sup> This was to become the age of the 'clerical magistrate' – a position which fundamentally called into question the role of clergyman as pastor.

### ***The Clerical Magistrate***

Around the middle of the eighteenth century the landed property qualification for service on the county bench was reduced to an annual income of £100. This enabled more clergy who held benefices, and thereby freeholds, to enter the magistracy. Approximately 11% of magistrates were in Holy Orders in 1760.<sup>282</sup> But during the following decades this percentage increased significantly (although unevenly across the country) as agricultural improvements, an extension of tithes into new, more valuable crops and the effect of commutation of tithe for land lifted the income and status of clergymen in many parts of the country which, combined with a propensity for conscientiousness and good education, rendered these clerics ideal candidates, in view of those responsible for county appointments, to address a widespread shortage of properly qualified individuals to serve as magistrates. This became a common complaint during the later eighteenth century as many of the wealthier gentry, those to whom the State had traditionally looked to fulfil this role, became less and less inclined to serve on the county bench. In consequence, the authorities were compelled, sometimes with a great deal of reluctance (for example Shropshire was a county with an unofficial policy of opposition<sup>283</sup>), to appoint more clergymen and 'other

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<sup>281</sup> Ibid, p. 101.

<sup>282</sup> Tomlinson, John W. B (2020) 'The Decline of the Clerical Magistracy in the Nineteenth Century English Midlands,' *Studies in Church History* 56, p. 420.

<sup>283</sup> Ibid, p. 426.

marginal gentlemen.<sup>284</sup> Across England and Wales the proportion of clergy serving as magistrates rose gradually from the mid-eighteenth century to reach a peak of 25% in the 1830s.<sup>285</sup> For example, in the Spalding division of Lincolnshire, where there were few major landowners, "...the Bench consisted throughout the 1780s and 1790s almost entirely of clergymen."<sup>286</sup> Meanwhile in Oxfordshire, the Vice-Chancellor of the University and other academics in orders were frequent attendants at the Quarter Sessions and in the period 1800-1835 "...about one third of county magistrates were clergymen from the University or county parishes."<sup>287</sup> Speaking generally, the percentage of those serving in both capacities was much higher in rural/semi-rural, more settled communities than in more urban and industrial areas. That said, in 1832 the proportion of clerical magistrates serving in the industrial town of Wolverhampton (then part of Staffordshire) was 18% of the total;<sup>288</sup> although this could be explained in part by the extreme disinclination of the Lord Lieutenant to appoint those from the rising industrial or commercial middle class.<sup>289</sup> This is illustrative itself of how the clergy were coming to be regarded far more as part of the 'landed class' (colloquially 'one of us') when set against the insurgent middle classes. However, a cursory assessment of the reasons why so many of the gentry felt no longer drawn to the role shows that it was hardly advantageous to those clergy who were appointed to replace them.

The impact of economic changes and harvest failures had begun to rebound upon late eighteenth-century society. The resultant economic dislocation started to fracture what

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<sup>284</sup> Emsley, C. (2005) *Crime and Society in England, 1750-1900 Third Edition* (Harlow, Pearson), p. 58.

<sup>285</sup> Tomlinson, 'The Decline of the Clerical Magistracy,' p. 421.

<sup>286</sup> Keith-Lucas, *The Unreformed Local Government System*, pp. 49-50.

<sup>287</sup> *Ibid.*

<sup>288</sup> *Ibid.*, p. 422.

<sup>289</sup> *Ibid.*

E.P. Thompson called, the 'particular equilibrium' of social relations which had allowed the local gentry to frame judicial responsibilities through the prism of 'moral economy.' Their subsequent responses to disorder were therefore subject to modification according to the localised context in which they were embedded as landowners. This allowed for a more nuanced and discretionary approach to the law which relied heavily on a deep knowledge of the local and strong communal relationships. This economic and social fracturing was given further momentum by the growing interest in political economy as the theoretical basis of reform among governing circles, with the impact of revolutionary wars (first America and then, to a greater extent, France) and the growth of political radicalism at home. These developments led the Duke of Portland in 1801, then Home Secretary, to acknowledge publicly that the times called for an end to the old 'discretionary' approach – which one could also call the common institutional approach – and the beginning a new era of 'firmness' in which the militia and the volunteers (i.e. the agents of the central state) would be far more readily deployed to suppress incidences of local disturbance.<sup>290</sup> This shift in the nature of governance, from the 'patriarchal' to the 'patrician'<sup>291</sup> (or from the common institution to the imposed structure) led many gentlemen to balk at having to play the role of central government agent enacting policies which they had little or no ability to shape to meet their local circumstances (and which were likely to prove counter-productive) and were therefore more than prepared to leave the business of such to lesser men – and to the clerics. Unhelpfully, or not, depending on one's point of view, there is a great deal of evidence to suggest that the clergy proved to be very active and effective in fulfilling this new charge. For example, "four of the ten most active justices in

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<sup>290</sup> Randall, A. (2006) *Riotous Assemblies* (Oxford, Oxford University Press), p. 218.

<sup>291</sup> Tomlinson, 'The Decline of the Clerical Magistracy,' p. 424.

Staffordshire in the second half of the eighteenth century were clerics, and they committed well over half the prisoners to trial and summary imprisonment.<sup>292</sup> By the period of the French Wars, "...40% of those sent to Stafford House of Correction were committed by Anglican clergymen in their capacity as magistrates."<sup>293</sup> However, 'effectiveness' is of course a matter of perspective, if by 'effectiveness' it is meant one who was prepared to discharge the office with a punctilious efficiency (according to the instructions set down by central government) there is evidence that the clergy were far more willing in this regard than those whom they replaced on the bench.<sup>294</sup> But if by 'effectiveness' it is meant the employment of varied means to ensure the successful resolution of community disputes, the reputation of the clergy-magistrate is somewhat more mixed. One can point to two particularly high-profile examples; Peterloo and the Wolverhampton election of 1835.

Of the 14 magistrates who were present at Peterloo in 1819, three were also clergymen. However, this does not give the full picture. Among the four magistrates who were the principal movers behind the bloody dispersal of the meeting, two were clergymen; the Revd Charles Wickstead Ethelston and the Revd William Robert Hay. Wickstead in particular had already established a reputation as a ferocious anti-Radical who had established a private network of spies across Manchester which fed information on alleged subversion directly to the Home Office. After the fateful day, Wickstead became the subject of a satirical cartoon by Cruikshank in which he was characterised as being comprised of two-faces; one side preaching to the people in church and holding a cross, and the other judging them in court and dangling a

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<sup>292</sup> Ibid.

<sup>293</sup> Ibid.

<sup>294</sup> Ibid.

noose.<sup>295</sup> In the case of the Wolverhampton election, this incident was recounted in a contemporary local newspaper article 'The Wolves let loose in Wolverhampton.'<sup>296</sup> The Revd John Clare, magistrate of the town, was attempting to calm a very fractious crowd outside The Swan Inn following the declaration of a very contentious election result when he was struck by an object. Clare's response was to immediately read the Riot Act and call out the Dragoon Guards.<sup>297</sup> What followed over the next few hours was sporadic violence across the city in which four protestors were injured by musket fire. Clare, who (like Wickstead) was already known for his harsh reaction to anything which smacked of insurrection, was subjected to fierce criticism in the local and the national press. The headline ran; "But who is the author of this outrage? The man who gave the order to fire upon his fellow citizens...in mere personal vengeful feeling for a slight contempt passed upon him...was a Clergyman. A Minister of Peace sounded the signal for war."<sup>298</sup>

It was indeed fortunate for English local government that at a time when additional functions were being laid upon the shoulders of magistrates in the shape of the Poor Law and game-law supervision there emerged a new cadre of potential office holders which still upheld the traditional qualifications of respectability. For it was quite apparent that "...a gentleman farmer or landlord fitted much more neatly into the fabric of government than a man who depended for the bulk of his income on yearly wrangles and cajoling with his parishioners over the tithe."<sup>299</sup> As noted by T.W. Allies, rector of an Oxfordshire parish, "Reverence for my office they had none; consideration for me

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<sup>295</sup> Poole, R. (2019) *Peterloo: The English Uprising* (Oxford, Oxford University Press), p. 32.

<sup>296</sup> A full account can be found in Cox, David J., "The Wolves let loose at Wolverhampton: A Study of the South Staffordshire Election Riots, May 1835,' *Law, Crime in History* 2 (2011), pp. 1-31.

<sup>297</sup> This had seen the victory of two Radical candidates; Charles Pelham Villiers and Thomas Thorne, each taking exactly the same number of votes.

<sup>298</sup> *Figaro in London*, 6<sup>th</sup> June 1835, 95.

<sup>299</sup> Eric J. Evans (1975) 'Some Reasons for the Growth of English Rural Anti-Clericalism: 1750-1830,' *Past and Present*, 66, p. 102.

as a gentleman and a landlord, and occupant of a large glebe they had;”<sup>300</sup> a

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<sup>300</sup> McClatchey, D. *Oxfordshire Clergy*, p. 98.

declaration which is indicative of the changing dynamic in the relationship between



minister and parish. In being deemed respectable by virtue of property, and thus

suitably qualified for the role of magistrate, clergymen appeared to confirm their ever-

greater identification with a sectional (class) interest and an imposed order at the

resultant cost to their parochial communities. And as the ill-effects of economic and

social disruption took hold during the latter half of the century, how could the

'squarson'<sup>301</sup> (cleric in possession of landholdings) undertake his role as defender of

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<sup>301</sup> A term which has been attributed to Bishop Samuel Wilberforce (1805-1873).

the weak against the mighty "...when he was actively engaged in dispensing what was,

after all, rich man's justice."<sup>302</sup> No matter how dutiful the individual minister might be

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<sup>302</sup> Eric J. Evans (1975) 'Some Reasons for the Growth of English Rural Anti-Clericalism: 1750-1830,' *Past and Present*, 66, p. 102.



in visiting the sick and needy in the parish, it was still often he who bore the responsibility for passing judgement on starving poachers when the local landowners brought their suits. How was he also readily to provide spiritual comfort for a family left destitute by enclosure when he was the magistrate who was charged with augmenting the scales for the provision of a dole or for assessing the same family's qualification for relief. In such a situation it was near impossible to blunt the sword of justice with the mercy of the gospel. Such a reality prompted the future Bishop Blomfield, one who had previously served as magistrate and had indicated his continued support for the



(Fig. 7.) *The clerical magistrate*  
By George Cruikshank (1819)  
Courtesy of The British Museum

'squarson' as uniquely advantageous, to admit that "...the secular duties would be likely to interfere too much with the spiritual... [recalling that in his own time] the Game Laws pressed so harshly upon the poor that he [Blomfield] could hardly bring himself to be instrumental in enforcing them."<sup>303</sup> The *Wolverhampton Chronicle*, just two years before the incident at The Swan Inn, went even further and published an editorial in which it declared that "...the duties of a Christian pastor are utterly incompatible with those of an active justice in

populous towns."<sup>304</sup> This sentiment was shared by Richard Fryer MP,<sup>305</sup> the post-

<sup>303</sup> Blomfield, A. (1864) *A Memoir of Charles James Blomfield, D.D, Bishop of London, with Selections of his Correspondence* (J Murray, London), p. 28.

<sup>304</sup> *Wolverhampton Chronicle*, November 1831.

<sup>305</sup> Richard Fryer (1770-1846) was a banker and founder of an industrialised milling company in Wolverhampton, he was elected to Parliament for Wolverhampton for the Whigs in 1832 and held the seat until 1835 when he stood down. Earlier in his career he had been denied appointment as a magistrate because of his background in commerce and industry.

Reform representative for the town, who described the clerical-magistrate as “...having the cross in one hand, and the gibbet in the other.”<sup>306</sup>

Indeed, as has been noted by Evans, the popular association between the Church and the agency of State order became particularly visible during the Reform agitation of 1830-31. In the county of Norfolk in 1830, following incidences of civil unrest, the clerical magistrates were described as being ‘a bad Odour with the People.’<sup>307</sup> More than a decade later, Henry Brougham expressed similar sentiments when he said...

Nothing has a more direct tendency to excite hatred and contempt both towards the men and towards their sacred office. It is also certain that they have not generally shown such discretion, temperance and forbearance in exercising magisterial functions as might either have been expected or desired from men in their station.<sup>308</sup>

In what is another example of an unfortunate reality the statistically significant correlation between those counties where commutation gave over the larger estates and the high proportion of clerical magistrates points to the fact that the exchange of tithes for land had actually had a far greater impact in the development of anti-clericalism than disputes over potatoes.

### ***The Laws of Settlement***

Whilst it is not the intention of this study to delve too deeply into the impact that the systematising reforms of the first quarter of the nineteenth century had on the operation of specific parish functions, there are several areas which have particular bearing on the issue of parish identity and would therefore benefit from some further

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<sup>306</sup> Swift, Roger (1992) ‘The English Urban Magistracy and the Administration of Justice During the Early Nineteenth Century: Wolverhampton, 1815-1860,’ *The Midland Journal* 17, p. 81.

<sup>307</sup> Roe, Wallis M., ‘The Relationship between Magistrates and their Communities in the Age of Crisis: Social Protest, 1790-1834,’ (PhD thesis, University of West of England 2019), p. 201.

<sup>308</sup> Evans, ‘Rural Anti-Clericalism,’ p. 106.

exploration. Firstly, let us consider the operation of the Laws of Settlement. The Laws of Settlement were established by statute in 1662, and placed a duty on parishes to regulate interparochial migration. The legislation set down the criteria on which the parish had the right to remove a person from the parish back to their own (usually natal) parish (their 'place of settlement'). The terms for avoiding removal were simple; any person who rented property for under ten pounds per annum or was not likely to be chargeable (i.e. seek recourse to parochial relief) – a ruling of 1714 rendered these categories convertible terms. Given that such a high property qualification excluded the vast majority of independent adults (even by the nineteenth century) the law's intention was clearly to discourage the movement of people between parishes for any prolonged period of time. Although the laws were subject to some marginal liberalising by the eighteenth century, the criteria allowing for removal were still broad:

...any person who was not a woman living with her husband; a child age seven or under who was living with his mother; a legitimate child who had not acquired a settlement of his own and was living with his father (or with his mother, if his father was dead); an unmarried servant hired under a year-long contract; or an apprentice<sup>309</sup>

In reality, such expansive criteria covered almost all of those who were independent adults and their families. There were of course ways of securing a right to settlement within the parish; although these themselves were difficult to pursue for an independent adult. The most straightforward method was for an individual to live for forty days in the parish in which they possessed a freehold (or copyhold) estate. They could also rent property for ten pounds per annum; they could serve in parish office (although in reality this was extremely unlikely as a vestry would not vote a migrant into office and thereby grant settlement), or they could pay taxes in the parish. In all

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<sup>309</sup> Landau, N. (1995) 'Procedure under the Settlement Laws in Eighteenth Century England,' *The Agricultural History Review*, 43.2, p. 141.

cases, the right to settlement was fundamentally bound up with the possession of a tangible stake within the parish community; one's willingness to labour did not alone meet this test. The route to settlement was further complicated in 1697 with the introduction of settlement certification which protected the migrant from removal to their own parish unless they required relief. Although the following year, further legislation decreed that even if a certificated migrant paid rates or taxes in the parish that did not grant them the right to settlement. This made the right to settlement even more exclusive. However, the tightening of the law did not necessarily lead to the more rigorous or even standardised application of removals; indeed, the need to continually legislate on the same matter would suggest quite the opposite was happening in practice. As has been put forward by Norma Landau, many of the available parish records related to settlement matters suggest a marked propensity by parishes to apply the laws to determine exactly how they, as a community, would regulate belonging within the scope of the legislation. Although outside of our period, the rare example of a surviving diary of a local justice – Paul D'Aranda of Shoreham, 1708 – records periodic rounds of settlement examinations conducted by the Shoreham parish; likely encouraged by the vestry,<sup>310</sup> in which migrants to the parish were brought before him (a resident of the parish, as well as a serving magistrate for the county). However, the law stipulated that two justices were required to authorise a removal order, so why call on D'Aranda alone? This act could be regarded as a kind of customary assertion of the parish's right to determine identity. The presence of a single Justice was therefore employed to underline the wider community message that the parish was in control. According to Landau such applications of settlement law were not unique to Shoreham. She wrote. "...parishes did periodically ascertain whether

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<sup>310</sup> Kent Archives Office, U442/O45.

residents had settlement in the parish, and then attempt to extract certificates from their non-settled residents.”<sup>311</sup> For example, “...in 1736 the vestry of Wimbledon in Surrey ordered that ‘the inmates and others who have intruded into the parish are to be summoned before the bench to give certificates to indemnify the parish.’”<sup>312</sup> The vestry of Walthamstow in Essex conducted a similar investigation, so did Chalfont St. Peter (Buckinghamshire) in 1722, Ash (Kent) in 1772, Hungerford (Berkshire) in 1783, Uffington (Berkshire) in 1785, Woodford (Essex) and Canterbury (Kent) in 1789 and Midhurst (Sussex) in 1794.<sup>313</sup> The customary, or quasi-ritualised, nature of this practice is given further credence by the practice of newly elected parish overseers being obliged, on the day of their election, to make a circuit of the parish, accompanied by a constable, to search for non-residents (as was the case in Maidstone).<sup>314</sup> The ancient parish tradition of ‘the beating of the bounds’ can also be viewed in the same way. ‘Beating the bounds’ (sometimes known as ‘ganging’) was a parish-festival day originating in the Anglo-Saxon period but still practiced in areas during the eighteenth and into the nineteenth centuries. It was also one in which the centrality of the Church as defender of the parish identity was most visibly demonstrated. Developing at a time before the widespread availability of maps, the parish community, led by its priest and officers, would make a perambulation of the parish boundaries on Ascension Day (traditionally celebrated on a Thursday, the fortieth day of Easter) or during Rogation week (the Monday to Wednesday leading up to Ascension Day). Accompanying the procession would be a crowd of parish boys armed with green boughs with which to beat the parish border-stones. The use of the

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<sup>311</sup> Landau, N. (1995) ‘Procedure under the Settlement Laws in Eighteenth Century England,’ *The Agricultural History Review*, 43.2, p. 145.

<sup>312</sup> Ibid.

<sup>313</sup> Ibid.

<sup>314</sup> Ibid.

parish young people was deliberate so that the knowledge of the boundaries of the parish would be held in the collective memory of the next generation – the intention being that they would then pass on this information to their children. The very geographical extent of the parish was thus ‘owned’ by the parish community. Being aware of the boundaries of the parish was important as it determined liability (and therefore membership) to pay parish rates, qualify for relief or have the right to be buried in the church yard. During the perambulation the priest would offer up prayers asking for protection over the community and the harvest during the forthcoming year. Often Psalms 103 and 104 were spoken and the priest would say; “Cursed is he who transgresseth the bounds or doles of his neighbour.”<sup>315</sup> The parish register of Turnworth in Dorset records the event of 1747 in some detail:

On Ascension Day after morning prayer at Turnworth Church, was made a public Perambulation of the bounds of the parish of Turnworth by me Richd Cobbe, Vicar, Wm Northover, Churchwarden, Henry Sillers and Richard Mullen, Overseers and others with 4 boys; beginning at the Church Hatch and citting a great T on the most principal part of the bounds. Whipping the boys by way of remembrance,<sup>316</sup> and stopping their cry with some half-pence; we returned to church again, which Perambulation and Processioning had not been made these five years last past.<sup>317</sup>

The right of a parish to determine/influence its membership (and thus validate identity) was dealt a fatal blow with the passage of the Poor Law Amendment Act. Although the legislation itself did not specifically set out to redefine the Laws of Settlement, many of those engaged in the development of the reform considered the breaking of the link between parochial identity and the right to relief as an inevitable (and welcome) by-

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<sup>315</sup> Tate, W. E. (1946) *The Parish Chest* (Cambridge, Cambridge University Press), pp. 73-74.

<sup>316</sup> As well as beating the boundary markers, some parishes would whip the accompanying boys at each marker (or bash their head against the stone) so as to make the location memorable to them.

<sup>317</sup> Tate, *The Parish Chest*, pp. 73-74.

product to the 1834 changes. Reformers argued that the continued operation of the Laws of Settlement not only acted as a powerful break on the free movement of labour (from an economic perspective), but from a moral perspective the system was considered inhumane and punishing to those who wished to work. Poor Law Commission Inspectors highlighted that "...poor and industrious persons by a law which left them liable to be removed from a place they had lived for many years and to be sent to a parish where they were not known."<sup>318</sup> In a report of July, 1835, Poor Law official George Coode<sup>319</sup> went as far to say that settlement was a...

...degrading and corrupting tie, a form of bondage. In a small or over-populated parish, the settled labourer was not a free man: He knows that the parish by its protection of removal has bound him to its soil...there is no independence of either employer or labourer...no such feeling as grows out of connections freely sought, freely maintained and, if unsuitable, freely abandoned.<sup>320</sup>

The creation of the centralised Poor Law Board, the grouping of parishes into Poor Law Unions and the direct election to the Union Board of Guardians using the plural voting system brought about by Sturges Bourne placed the whole relationship between parish and settlement at a far greater distance from the influence of the parish vestry and because of this distance opinion formed strongly in favour of reform of settlement – specifically the removal of the parish's right to determine (or enforce) these laws as they saw fit. This legislation eventually emerged in 1846. Introduced by the noted anti-Corn Law proponent Sir James Graham, the Poor Removal Act removed the right of the parish to expel any persons who had been resident in a parish for five years but

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<sup>318</sup> Feldman, D. (2003) 'Migrants, Immigrants and Welfare from the Old Poor Law to the Welfare State,' *Transactions of the Royal Historical Society* 13, p. 91.

<sup>319</sup> George Benson Coode (1807-1869) was a Jersey-born lawyer, Coode was appointed Assistant Secretary to the Poor Law Commission under Chadwick in August, 1834.

<sup>320</sup> PP 1851 XXVI, *Report of George Coode Esq to the Poor Law Board on the Law of Settlement and Removal of the Poor*, p. 127.

had yet to gain settlement. This term of five years was reduced to three years in 1861 (and again to just a year in 1865). Whilst superficially it could be argued that this legislation actually served to reinforce the 'parish' as a place of identity – in that it prevented the forcible removal of those who may have begun to self-identify with their new place of settlement – the loss of this power of the parish authorities from this decision-making process meant identity-determination became both an individual choice and a state-imposed structure, but it was no longer a common institution.

### ***Parish Registration***

The practice of parish registration can be viewed very much in the same way as settlement. Before 1838, the only available means for the majority of the population to obtain legal documentary proof of their existence (as well as their date of birth) was through the procurement of a copy (or an examination of) the parish register. From the perspective of identity, at least in a legal sense, the individual and the parish were indivisible; the parish was the sole custodian (and validating authority) of legal personhood. The significance of parish registration cannot therefore be underplayed in this regard; nor for their contribution to the local history of the parish in general. As remarked by John Southerden Burn<sup>321</sup> in his 1829 history of parish registration; "...in many instances, almost the only particulars of Parishes, of its inhabitants, and of its local occurrences, are those recorded in the 'Parish Register.'"<sup>322</sup> In this same history, Burn points to a Biblical (and Classical) precedent in the practice of community

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<sup>321</sup> John Southerden Burn (1798-1870), was a solicitor with a professional interest in parish registers. Publishing a history of English parish registers in 1829, Burn established himself as an expert in the subject. In 1831 he was appointed registrar of marriages for chapels before 1754, then in 1834 he took up the post of Secretary to the Commission Inquiring into Non-Parochial Registers (1833). He would later serve on the Non-Parochial Registers Commission where he assisted in compiling the Report on the Religious Census of 1851.

<sup>322</sup> Burn, J. S. (1829) *Registrum ecclesiae parochialis, the history of parish registers in England, also of the registers in Scotland, Ireland, the East and West Indies* (London, Edward Sutler), Preface.



registration, citing the Book of Genesis, and the recording of "...the genealogies or pedigrees of the patriarchs from Adam to Noah...[and when] Moses and Aaron, in the Wilderness of Sinai "...assembled all the congregation together on the first day of the second month and they declared their pedigrees"<sup>323</sup> which provided a very sound basis for the institution of the practice in England at the direction of Thomas Cromwell in 1538;

[That] every parson, vicar or curate within this Diocese, for every Church keep one Book or Register wherein he shall write the day and year of every wedding, Christening and burial made within your parish...And for safekeeping of the same Book, the parish shall be bound to provide of their common charges one sure coffer, with two locks and keys, where of one to remain with you, and the other with the Wardens.<sup>324</sup>

By this act, all incumbents (and perpetual curates) were appointed registrar for their parish area. This, as already noted, empowered the office-holder, and through them the wider-parish, to act as validator of a person's identity. The role was further expanded after the Customs Act of 1792 which obliged the clergy to act as testifiers to the identity of non-residents; the specific act related to sailors but was applied equally to all those not ordinarily resident in the parish (soldiers, widows, emigrants). They were also to declare the bona-fides of witnesses. All of this had a potentially material impact for the recipient; without such validation military widows could be unable to secure military pensions, paupers would be deprived of parish support, while others might be prevented from securing employment. On this latter point, the Revd James Woodforde makes reference to this role in his *Diaries*; "(1781 – May 21<sup>st</sup>) A Mr. Smyth, an Attorney...called on me this evening for a copy of the Register, concerning

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<sup>323</sup> Ibid, p. 1.

<sup>324</sup> Ibid, pp. 17-18.

his Son's age who is now at New College and a Fellow there;"<sup>325</sup> and. "(1795 – May 30<sup>th</sup>) Recd a letter this evening from Mr. Custance in London, desiring me to send as soon as possible a copy of the Register of his Son, George, who has got an appointment on the Madrass Establishment."<sup>326</sup> However, validating present identity formed only one part of this function. As in the Biblical reference, the parish record was often fundamental in proving an individual's lineage or historical identity; crucial evidence when disputes arose over legacies/wills/inheritance. And it was on the need to address serious deficiencies in this aspect which drove the reforms that led to the removal of the Church's validating role through the practice of parish registration.

### ***The Civil Registration Act, 1836***

Despite various legislative attempts to try to ensure that parish record keeping was both accurate and consistent in form the quality and reliability of parish registry information varied widely across the parishes. This could not only be attributable to the varying conscientiousness of incumbents past and present, but also to locally established practices of recording – which did not necessarily include the quantity or quality of data desired by officials – and/or poor management of records (fire and water damage being a common problem). In addition, the separate keeping of records by Dissenting Churches meant that some information was not captured through the parish record. Legal rulings concerning the inadmissibility of Dissenters' records as proof of birth in 1811 and 1820, and a similar (and more serious case) in 1824 concerning Anglican parish registers,<sup>327</sup> rendered this state of affairs increasingly

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<sup>325</sup> Beresford, J. (1959) *The Diary of a Country Parson Vol. 1* (Oxford, Oxford University Press), p. 311.

<sup>326</sup> Blythe, R. (1999) *James Woodforde, The Diary of a Country Parson* (Norwich, Canterbury Press), p. 325.

<sup>327</sup> Cullen, M. J. (1974) 'The Making of the Civil Registration Act. 1836,' *The Journal of Ecclesiastical History* 25, p. 39.

unsustainable. Initially, this led to new attempts to centralise the deposition of parish registers, but there was little Parliamentary interest in taking this forward. This would not be kindled until Sir John Campbell's Real Property Commission began to mobilise a case for the comprehensive overhaul of the system of registration from 1829. The Commission advocated for the removal of the Church's responsibility for registration and the transfer of this duty into the hands of civil officials. This debate would culminate in the Civil Registration Act of 1836. The passage of the Act, to give it its full title the *Act for Registering Births, Deaths and Marriages in England*, in August 1836, brought about the creation of the General Registry Office alongside which was established an entirely new, expressly civil infrastructure charged with the duty of registration. The implications of this legislation for the Church's role as a validating body can be identified through objections lodged by the Archbishop of Canterbury, William Howley, in the House of Lords during the debate on the bill. Howley's objections were threefold; firstly, he attacked the provision in the legislation which made civil registration compulsory. Howley argued that the mandatory requirement of the bill "...would interfere with the privacy of families...in an inquisitorial manner; subjecting persons and families to greater annoyance, and enforcing compliance with its terms, by penalties which would be grievous and ruinous to the poor persons on whom they might fall."<sup>328</sup> In making this argument Howley was articulating the Church's role as a defender of common/communal liberty/traditional customs against the imposition of a state structure. For the individual, as well as the parish corporate, the Church-centred parish, and its registry, belonged to the community, was for the benefit of the community and whose purpose was for the community. It was more than just a de-personalised repository of data, but as Burn noted, it was often the only record of

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<sup>328</sup> HL Deb 11th July, 1836 vol. 35 c.85.

'parishes, inhabitants, and local occurrences.' Compulsion placed the ownership outside of this community, for a different purpose entirely. It was not an expression of willing identity with the parish; which by long-established tradition also conferred the right to be received into the Anglican national church. Howley expanded this point, attacking the bill's deliberate separation of the naming of the child from when it was received into the Church by baptism – "...something which had always been united since the establishment of a Christian Church." Howley rightly feared that this separation would "...make them [parents] careless and indifferent about bringing them to the font."<sup>329</sup> This separation not only provided an alternative source of validation, it gave that alternative precedence over the Church, and by extension the community. Validation was no longer a communal act – a common institution – in which the new child was formally welcomed as part of the community but it now had to take place on an individual basis, as a purely bureaucratic process, at a distant location in private, before a civil official to whom one may or may not be familiar with.

This distance formed the substance of Howley's second objection to the bill. The new legislation sought to establish a civil registration infrastructure organised not on the traditional parish boundaries, but on "...district divisions which would include several churches."<sup>330</sup> Like the Poor Law Unions, which had been used as the basis for the creation of the registration districts, the introduction of civil registration created distant authorities devoid of local knowledge or traditions which had the deliberate effect of imposing a fixed process over inherited practice. Further to this, the geographically dispersed nature of the registration offices, in combination with the compulsory nature of the legislation, imposed potentially significant logistical barriers in the way of the

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<sup>329</sup> Ibid.

<sup>330</sup> Ibid.

poor which made adherence to the new process particularly burdensome. Lord Ellenborough, speaking in support of Howley, drew the noble Lords' attention to the fact that the inclusion of a time-limit to comply (eight-days) failed to take into account the demands of labour on the poor. He stated that; "He [the poor man] was required within eight days of the birth of his child to give notice of the birth to the registrar. Now, in no eight days in the year was it more inconvenient for a poor man to be absent for a day from his home."<sup>331</sup> Should he fail to meet this required deadline, his punishment was to be a fine of twenty shillings which, Lord Ellenborough notes, amounted to "...no less than three weeks' wages."<sup>332</sup> In the case of marriage under the new system; "He [the poor man] now paid nothing for the bans; but by the Bill he would first have to pay a shilling for entering the notice; next he would have to travel it might be five or six miles to the registrar and thus lose a day's work."<sup>333</sup> However, Ellenborough pointed out that if absorbing the loss of one day's labour for an individual was perhaps manageable for most, the additional expenditure in compensation for the two witnesses required by the bill made the financial demands even more onerous. Ellenborough contrasted the newly proposed system which would cost the labourer a minimum of between three shillings and sixpence and four shillings<sup>334</sup> to the traditional parish centred regime which attracted few administration costs.

The negative implications of distance were not confined to logistical and financial considerations alone. Both Howley and Ellenborough drew attention to the far more serious risk posed to the moral integrity of the community by these reforms. They argued that the collective (and inherited) knowledge of the parish community provided

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<sup>331</sup> HL Deb 11<sup>th</sup> July, 1836 vol. 35 c. 87.

<sup>332</sup> Ibid.

<sup>333</sup> Ibid.

<sup>334</sup> Ibid.

a layer of scrutiny which served to help guard against incidences/accusations of coercion, bastardy, infanticide or neglect within households. Ellenborough noted that, "At present every stranger might forbid a marriage who knew that it was incestuous; but there was no provision in this Bill to prevent any incestuous marriage."<sup>335</sup> Whilst it was certainly not the intention of the new legislation to give such eventualities legitimacy before the law, it did seek to shift the moral responsibility in these matters away from the community and place it firmly in the hands of the individual. It was beholden upon the individual seeking registration to provide information, or give legal declaration, as to whether they knew of any cause or impediment to marriage between persons. Once again, such a requirement potentially penalised the poor who did not necessarily possess the time or means to seek out the appropriate information from what maybe a faraway natal parish and forced them to rely solely upon sworn declarations. Although legally perfectly legitimate the moment they were sworn, declarations lacked the 'certainly' of documentary evidence (such as the parish register) and could therefore face possible challenge, at some future date, on the grounds of moral invalidity; even if such persons were ignorant of this reality at the time. In cases of disputed inheritance - whether concerning the broad acres of a squire or the meagre possessions of the labourer - the legal fragility of a system which permitted self-declaration could have implications for a family for generations.

The flaw within the proposed legislation to which Howley and Ellenborough objected would actually form the basis of a legal campaign mounted nearly forty years after the passage of the Civil Registration Act by the English constitutional scholar Thomas Pitt Taswell-Langmead.<sup>336</sup> It was a campaign which provided some degree of

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<sup>335</sup> Ibid.

<sup>336</sup> Thomas Pitt Taswell-Langmead (1840-1882), known as Thomas Pitt Langmead before 1864. Educated at King's College, London and St. Mary's Hall, Oxford before entering the Inner Temple in

retrospective validity to their objections. In 1872, Taswell-Langmead published his *Parish Registers, a plea for their preservation* in which he set out to highlight the legal and historical inadequacy of the civil registration system in that the reformers appeared to labour in the belief that the only system of valid record-keeping began in 1837, and anything before that date could largely be dismissed as at best unreliable, and at worst of complete irrelevance. Taswell-Langmead argued that it was from such an attitude sprang the legal principle that "...a certified copy of any entry in the books of the Registrar-General is receivable in evidence without any further proof."<sup>337</sup> In legal terms, history (both individual and collective) only began from this point in time; at least for the majority of the population. It could be argued that the negligence of the reformers in not making appropriate provision for the storage and protection of the old parish registers demonstrated a marked disdain for 'these simple annuals of the village poor.' Such records which "...to the poor man, of whose existence they constituted almost the only record,"<sup>338</sup> were so casually discarded by those who had no need to rely upon parish records for proof of their identity. As Lord Elcho declared during the debate on the introduction of the Civil Registration Bill into Scotland in 1854; these were the men who "...could produce title-deeds, and sculptured monuments"<sup>339</sup> to stand testimony to their lineage. Yet, as a practising conveyancer, Taswell-Langmead knew the truth of Lord Elcho's statement that "...enormous sums which were annually dependent, and the succession to which entirely depended upon...parish registers."<sup>340</sup>

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1860 and then Lincoln's Inn in 1862 on a Tancred Scholarship. Practising as a conveyancer, he was appointed tutor in constitutional and legal history at the Inns of Court in 1873. Later he was appointed Professor of English Constitutional Law at University College, London but would die in the December of the same year.

<sup>337</sup> Taswell-Langmead, T. P. (1872) *Parish Registers, a plea for their preservation* (London, Samuel Palmer), p. 3.

<sup>338</sup> Ibid p. 7

<sup>339</sup> Ibid.

<sup>340</sup> Ibid p. 8.

Indeed, in such cases, it was often persons in the "...humblest sphere of life"<sup>341</sup> who stood the most to gain. However, he lamented that "...often has the legal practitioner had to deplore the missing link...a link which the Parish register could alone supply;"<sup>342</sup> the evidential proof which could protect the legitimate rights of a poor man against the legal assertions of his more distinguished relative. As Lord Elcho remarked, the parish register "...may not be inaptly called the Charter of the Poor Man."<sup>343</sup>

Lastly, the separation of such acts from religious (and communal) ceremony raised the question of competency of discharge of office given that the office was to be a 'political' appointment; that is authority to appoint the local registrars was to be the responsibility of the locally elected Board of Guardians. Howley asserted that

...the Bill gave them very large powers, such as determining who was prohibited by law from intermarrying and many other points which very often puzzle clergymen and would, of course, must oftener puzzle the registrar. If it were necessary to authorise marriages of this description, let them be alone before a magistrate,<sup>344</sup>...a man of education, who could form a judgement of the matters before him, and whose respectability would give security to the country that no indecency or improper conduct would take place.<sup>345</sup>

Such an argument had been made previously by Edwin Chadwick during earlier wrangling over the substance of the proposed legislation. Writing in a letter, Chadwick believed that "...to allow the Board of Guardians to appoint the local registrars would lead to inefficiency, unnecessary expense and jobbery."<sup>346</sup> Engaged in the same discussion was Lord Ellenborough<sup>347</sup> who feared that the extension of such patronage

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<sup>341</sup> Ibid.

<sup>342</sup> Ibid.

<sup>343</sup> Ibid.

<sup>344</sup> This magistrate could also be a clergyman.

<sup>345</sup> HL Deb 11<sup>th</sup> July, 1836 vol. 35 c.85.

<sup>346</sup> Cullen, M. J. (1974) 'The Making of the Civil Registration Act. 1836,' *The Journal of Ecclesiastical History* 25, p. 56.

<sup>347</sup> Edward Law, Earl of Ellenborough (1790-1871). Tory politician who served as Lord Privy Seal and President of the Board of Control during the premierships of Wellington, Peel and later Derby. Served



would lead to the distribution "...through the Unions of a strong battalion of Whig attorneys to act as party agents at public expense."<sup>348</sup> On this latter point, he asked, for what purpose was this information required? "It was required to...gratify the statistical fancies of some few philosophers."<sup>349</sup> For Ellenborough, and for a great deal many in opposition, it appeared as though an insurgent class of reformers were forcibly expanding the reach of the central state simply to cater for their own whimsical interests whilst obliging the poor man to underwrite the expense of these interests. Ellenborough declared; "If they wished to obtain that information, they ought to pay for it, and not make the poor man pay for it, with a penalty."<sup>350</sup>

Like the Select Vestry, the Civil Registration Act had the effect of 'de-nationalising' the process of obtaining legal personhood by which is meant that the legislation deliberately set out to remove ownership of the process from the majority of the population – as represented through the common institution of the Church-centred parish – and handed it to a centrally imposed state structure which; although fully national in reach and compulsory in nature was owned (i.e. designed and administered) for the most part by just one social-economic group within local communities; and recording only what information was deemed 'useful' by this same group. Not even the purpose remained the same. Whereas the parish registry reflected one's automatic membership of a community - the civil registry merely granted legal recognition of an individual's existence.

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as Governor-General of India (1842-1844) and also as First Lord of the Admiralty (1846). Widely considered to have been the architect of post-East India Company rule in India.

<sup>348</sup> Cullen, 'The Making of the Civil Registration Act. 1836,' p. 56.

<sup>349</sup> Ibid.

<sup>350</sup> Ibid.

In the preface to the second edition of *The Parish and its Obligations and Powers* Toulmin Smith quotes these words of Lord Palmerston;

...what peculiarly distinguishes the people of these islands from the nations of the Continent is that system of local self-government which has been so fortuitously established, and through which affairs of the country are carried on with little interference on the part of Executive Government. Under that system, the affairs of the country are conducted by the people themselves.<sup>351</sup>

For Palmerston, like Toulmin Smith, there is a ready acknowledgement of just how deeply embedded the tradition of local self-government was in the everyday lived experience of the people, and as a distinctive aspect of the national identity. And, however objectionable to those like Toulmin Smith, it is hardly possible to delineate the historical evolution of this reality in purely civic, secular terms in the two hundred or more years before the onset of our period. Indeed, it was the aggregation of Church and parish which provided the principal vehicle for the development, articulation and defence of this culture of local self-government. Fundamental to the strength and stability of this system was in its conception as a communal institution. The Church-centred parish was understood to be a mechanism for the organisation of society which was legitimised through community-specific customary and inherited practices and one that was constantly re-validated by (the possibility of) the popular participation of members of that community. The fundamental challenge to this model would therefore come with the increasing turn by Church and State (to varying degrees of willingness and enthusiasm) against the customary and inherited by a policy approach which favoured the objective over the specific and the rationalistic over the traditional. The communal parochial institution was to be steadily replaced by an imposed central

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<sup>351</sup> Smith, J. T. (1857) *The Parish, Its Powers and Obligations at Law, as Regards the Welfare of Every Neighbourhood, and in Relation to the State* Second Edition (London, H. Sweet), p. vi.

structure. This manifested itself at a number of levels. At the micro or individual level, we see a far greater willingness of the clergy to assert their right to their tithe entitlement via recourse to the courts rather than through established methods of local negotiation. This reflected a growing emphasis on the objective structure of law versus communal (or customary) practice. On the meso level, the improving socio-economic status of the clergy brought about through an increase in tithe value and/or enclosure helped to propel the growth of the clerical magistracy. This led to an increasing association of the ministry as agents of the State, not the parish. And at the macro, reforming legislation which encouraged the creation of 'Select Vestries,' this instituted a property based parochial franchise and divested the parish of its monopoly on the determination of membership and legal registration. In each instance, the overriding principle driving such legislation was the imposition of structures which would advance a centrally determined agenda; namely efficiency and economy, over the variety of historically rooted and locally accepted administrative practices in effect throughout England's parishes. Whether through benign neglect or active collusion, the Church's position as guardian of community identity, customary practice and popular participation in local administration steadily gave way to the perception that in parochial affairs the Church had become just another agent of the State structure largely designed to serve the will of a controlling sectional interest alone.

### **Chapter III – The Church Ecclesiastic**

The general notion appears to be, that if born in a country in which Christianity is the established religion, we are born Christians. We do not therefore look out for **positive** evidence of being

out of that number; but putting the onus probandi...on the wrong side we conceive ourselves such of course, except our title be disproved by positive evidence to the contrary.<sup>352</sup>

...the charge of imperfection and corruption may be made good against any established religion that ever existed. It must be liable to many imperfections from its own nature and the nature of man; in its original institution, it must lean to the errors and prejudices of the times.....[but] no man can be bound in duty to desert a national religion, on account of its defects congenial to its nature, nor to search for perfection, which is nowhere to be found. Some religious establishment is absolutely necessary to the existence of every state; but it is not necessary that this should be perfect... nor even esteemed by those who conform to it; it is sufficiently perfect for this purpose...if it contains nothing repugnant to the principles of sound morality and the doctrines of Christ.<sup>353</sup>

The first passage above comes from William Wilberforce (1797) and the second from his near contemporary Soame Jenyns<sup>354</sup> (1782). In their analysis of the role and place of religion in civil affairs, the two individuals cannot be considered to be of one mind on the matter. Indeed, the publication of Wilberforce's *A Practical View*, from which the above is a quotation, was in part a critical response to arguments contained in Jenyns' *Collected Works* (which had been published posthumously in 1790). Wilberforce, whilst in agreement with Jenyns's position that the superficial adherence to religion rendered it almost worthless, fiercely opposed Jenyns's conclusion that Christianity was in fact incompatible with an active political life. This position took the

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<sup>352</sup> Wilberforce, W. (1797) *A Practical View of the Prevailing Religious System of Professed Christians, in the Higher and Middle Classes of this Country, Contrasted with Real Christianity* (London:), p. 296. My emphasis.

<sup>353</sup> Jenyns, S. (1782) *Disquisitions on Several Subjects* (J. Dodsley, London), pp. 162-166.

<sup>354</sup> Soame Jenyns (1704-1787), minor poet, author and politician. Served as a Whig Member of Parliament successively for Cambridgeshire; 1741-1754, Dunwich; 1754-58, and Cambridge; 1758-1780. He was appointed as a Lord Commissioner of Trade in 1755, a position he would retain for twenty-five years. He used his long experience of political life to pen a number of well-read tracts on subjects as varied as theodicy, parliamentary reform, colonial taxation and the national debt. During the debates around the abolition of sinecures in 1780, Jenyns' long-service as a Lord Commissioner was cited as an example of the inequity of the system. He withdrew from public life shortly after this. Jenyns died in London of fever in December, 1787 and was buried in Bottisham; close to his family estate.

argument beyond the extreme, it was unrefined and ultimately lacked the required nuance.<sup>355</sup> However, despite the clearly oppositional nature of these passages, they do reveal a certain acknowledgement of the significance of what we might call a 'benign' or a 'banal' Anglicanism, and its interplay with identity (political or otherwise). By employing a reworking of Michael Billig's *Banal Nationalism* (1995), it can be argued that Wilberforce and Jenyns both reject a 'positive' identification with Anglicanism (described above using the broader term 'Christianity'); at least in a corporate sense (individually both would have fully identified with the Church of England), and by extension had to accept that to be sustainable such an identification had to be reflective of, and in tune with, the individual experience of the Church out in the parishes. This experience was itself moulded and reinforced by a broader socio-cultural context in which the Church, and the Christian religion more widely, remained a constant feature. To paraphrase Billig's own argument; daily, the English nation is reproduced as an Anglican nation and its citizenry as assumed members of the Established Church. The entire infrastructure of community life operates within this framework (Church-centred parish). In Billig's own words; "For such daily reproduction to occur, one might hypothesise that a whole complex of beliefs, assumptions, habits, representations and practices must be reproduced. Moreover, this complex must be reproduced in a banally mundane way, for the world of the nation [or in this case the Church] is the everyday world, the familiar, terrain of contemporary times."<sup>356</sup> If we accept that on a corporate and individual level the reality of a banal/benign Anglicanism is fundamental to the continued political existence of a confessional state settlement, the causes of its disaggregation (Church, State and identity) can be

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<sup>355</sup> Hole, R. (1989) *Pulpits, Politics and Public Order in England, 1760-1832* (Cambridge, Cambridge University Press), p. 148.

<sup>356</sup> Billig, M. (1995) *Banal Nationalism* (London, Sage Publications), p. 6.

identified in the steady disruption of this banality through the gradual appearance of a more and more discernible (or positive) socio-political-religious imperative in which membership began to be defined not assumed. Communities became congregations, the 'national church' became commonly identified with being an instrument of a certain sectional interest (a 'State Church' or a 'Law Church'<sup>357</sup>). Clergy became less shepherds of the flock, and more actively propagators of the Gospel. To try to get underneath this shift, this chapter will examine the changes which took place in the specifically ecclesial functions of the Church, namely; baptism, burial and incumbency.

### ***Baptism***

Beginning with baptism, this practice represents probably one of the most demonstrable examples of the complex intertwining of the religious, civil and popular which need to combine; often untidily and with a significant degree of ambiguity, in order to confer the notion of banality upon a common institution. The amenability of the practice as banal is derived from its dual-purpose function. First and foremost, it was an initiation ritual into the Christian religion. Secondly, as explored elsewhere, it provided a formal registration of the child as a legal person. Although theoretically separate functions, the bringing of them together under the canopy of baptism effected a cross-sacralisation of both elements; the civil and spiritual, enhancing the significance of the rite, and the institution from which it was derived. To a significant extent the success of this notion of the cross-sacralisation of baptism could be attributable to the dominant soteriological school within Anglicanism which largely held fast, from the time of the Restoration well into the eighteenth and early nineteenth

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<sup>357</sup> Eric J. Evans (1975) 'Some Reasons for the Growth of English Rural Anti-Clericalism c. 1750 - c. 1830,' *Past & Present* 66, p. 106.

century before coming under sustained challenge by the Evangelical movement (both within and without the Church).

The performance of the rite of baptism formed one of the basic core responsibilities of all those in holy orders and having cure of souls. Set alongside the performance of marriage, the churching of women and the laying of the dead to their eternal rest, baptism was regarded as just the same as any other surplice duty performed, as with the other rites, "...in the period of about three hours between morning and evening prayer."<sup>358</sup> However, in setting baptism alongside these other ecclesial acts, there is a tendency to apply a sort of parity of esteem to each in terms of their purely religious significance. In reality however, of each of these rites, it is baptism that must be set apart from the others as possessing the key foundational act of the Christian identity; it was the means by which one was put on the road to salvation. It was for this reason that clerical handbooks of the period were replete with exhortations to ministers to be diligent in the searching out of the unbaptised within the parish and the bringing of them to the font. This was the fundamental role of the Church, and its ministers, to "...assist [every individual in their charge] in fulfilling the conditions of their final salvation."<sup>359</sup> This is not to dispense with the importance of living a moral life subsequent to baptism, but living a moral life without it placed a barrier between the individual and their reception into Heaven. The relative importance attached to baptism as providing the individual with full justification; their becoming righteous in the eyes of God and so admitted into the body of Christ, was, what could be called, the mainstream Anglican (sometimes referred to as the Neo-Arminian) soteriological

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<sup>358</sup> Russell, A. (1980) *The Clerical Profession* (London, SPCK), p.110.

<sup>359</sup> Gregory, J. (2019) (ed.), *The Oxford History of Anglicanism, Vol. II* (Oxford, Oxford University Press), p.70.

position of the post-Restoration Church. It was a position that the eighteenth-century divine Daniel Waterland<sup>360</sup> set out thus;

St. Paul...taught us God's method of saving both Jew and Gentile, under the Christian dispensation. He did it, and does it, of free grace, and according to the riches of his pure mercy...by the washing, or laver, of regeneration, and renewing of the Holy Ghost; that is to say, by the sacrament of Christian baptism, considered in both its parts, "outward visible sign," which is water, and "the inward things signified" exhibited viz "a death unto sin," and a new birth "unto righteousness," therein wrought by the Holy Spirit of God.<sup>361</sup>

Similarly, the Revd. Richard Mant observed,<sup>362</sup>

...as in our Church explicitly affirms in her Catechism, that by baptism they are 'called to a state of salvation; 'and in her Homily that they are justified when they are baptised.<sup>363</sup>

And later in the period, Dr. Edward Pusey;<sup>364</sup>

Baptismal Regeneration, as connected with the Incarnation of our blessed Lord, gives a depth to our Christian existence, an actualness to our union with Christ, a reality to our sonship to God, an interest in the presence of our Lord's glorified Body at God's right hand...an overwhelmingness to the dignity conferred on human nature, a solemnity to the communion of saints...a substantiality to the indwelling of Christ.<sup>365</sup>

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<sup>360</sup> Daniel Waterland (1683-1740), a distinguished theologian of the orthodox variety, Waterland held numerous clerical and academic offices during his lifetime: Master of Magdalene College, Cambridge (1713-1740), Chancellor of the Diocese of York (1722-1740) and Archdeacon of Middlesex (1727-1740). During his later life he rejected the offer of the See of Llandaff and the office prolocutor of the Lower House of Convocation.

<sup>361</sup> Waterland, D. (1780) *Regeneration Stated and Explained: New Edition* (London, F & C Rivington, pp. 1-2.

<sup>362</sup> Richard Mant (1776-1848) a churchman and distinguished writer on religious matters, Mant held livings at Coggeshall, Essex; 1810-1816, St. Botolph's, Bishopsgate; 1816-1820 before being consecrated Bishop of Killaloe and Kilfenora; 1820-23, translated to Down and Connor; 1823, and finally to Down, Connor and Dromore; 1842, (the two dioceses were united). In addition, he was appointed Bampton Lecturer in 1811 and served as Chaplain to the Archbishop of Canterbury for a period.

<sup>363</sup> Mant, R. (1812) *An Appeal to the Gospel* (Oxford, Oxford University Press), p. 68.

<sup>364</sup> Edward Bouverie Pusey (1800-1882), Anglican cleric, theologian and Regius Professor of Hebrew at Oxford for fifty years. An early Tractarian sympathiser, Pusey would eventually emerge as the principal exponent of the movement after the departure of Newman to Rome in 1841.

<sup>365</sup> Pusey, E. (1839) *Scriptural Views on Baptism* (London, J.G.F & J. Rivington), p. 12.



Understood in this way, baptism offered the recipient the principal vehicle by which that person entered the Christian faith; and through it the path to salvation. This was a status that was of 'pure mercy' and of 'free grace.' It acted to confer dignity on humankind and made a tangible connection with the divine. However, whilst baptism granted justification to the initiate, one that was freely given, it did not secure one in a permanent state of grace. Neo-Arminian soteriology taught that the baptised were obliged to qualify, or maintain, their sanctified status granted under the new covenant (received at baptism) through the "...sincere attempt to obey the law of Christ."<sup>366</sup> In other words, they had to strive after personal holiness and to practice good works. Archbishop John Tillotson (1630-1694), an Anglican divine regularly cited by contemporaries, was unequivocal in his declaration that "...virtues of a good life have a more direct and immediate influence...than the most Orthodox Belief. The end of the Commandments, of the declaration of the Gospel is Charity...and Brotherly Kindness."<sup>367</sup> However, this pronouncement came with a very specific caveat; "...that a right Belief is only in order to a good life...a right Faith is for the better security of men's eternal salvation and happiness."<sup>368</sup> To put it another way, good works did not amount to valid action in the service of God independently of a state of justification. They could only be properly understood as a condition of, and not the cause of, justification. Later in the century, Mant expanded on this point further when he cautioned that there were those who wrongfully argued that the "...light of nature [was] sufficient guide for their conduct, and the goodness of their lives, as sufficient ground"<sup>369</sup> for divine favour, when in reality "...good works cannot be done without a

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<sup>366</sup> Gregory, *The Oxford History of Anglicanism*, p.70.

<sup>367</sup> Tillotson, J. (1717) *The Works of the Most Reverend Dr. John Tillotson, late Archbishop of Canterbury: Containing Two Hundred Sermons and Discourses on Several Occasions* (London), p.78.

<sup>368</sup> *Ibid*, p. 77.

<sup>369</sup> Mant, R. *An Appeal*, p. 76.

lively faith in Christ...”<sup>370</sup> Indeed, he went on to say that “...obedience, godliness, holiness and charity, or by whatever term or terms it may be thought proper to signify the fruits of a Christian faith, could not have been performed by men before they became Christian.”<sup>371</sup> It was a distinction which formed a key point of contrast between the Anglican doctrine and that propounded by the Roman Catholic Church and the Reformed tradition.<sup>372</sup>

Conceived in this way, baptism has a multi-dimensional significance – at once a rite of individual sanctification, heralding the access of the recipient on to the path of salvation, yet at the same time, placing upon that individual the obligation of active community participation to the benefit of their fellow man. In an explicitly parish context, this came to be understood as one of the most important roles for the Church and its ministers; to set out to educate, guide, warn and (where necessary) sanction the flock as to what it meant to be a ‘good’ Christian (that is one who was keeping to their baptismal obligations). Indeed, this theme formed one of the principal topics of counselling and sermonising during this period. As a preacher, the Revd James Woodforde regularly pointed to the importance of avoiding conflict and its contributing causes, such as ‘bickering, gossip, and slander’ and instead stressed the need to practice social virtues such as ‘fair-dealing, justice, generosity, and hospitality.’<sup>373</sup> The Revd John Skinner in his diary recorded a visit to a gravely sick parishioner in which he could offer “...no hopes that a mere faith could save her”<sup>374</sup> on account of her being “...as bad as anyone in the Parish, and has brought up her family in the same

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<sup>370</sup> Ibid, p.75.

<sup>371</sup> Ibid.

<sup>372</sup> Mark Smith (2012) ‘The Hanoverian Parish: Towards a New Agenda,’ *Past & Present* 216, p. 85.

<sup>373</sup> James Woodforde cited in Gregory, *The Oxford History of Anglicanism*, p.71.

<sup>374</sup> Skinner, J. (1984) *Journal of a Somerset Rector, 1803-1834* (Oxford, Oxford University Press), p. 299.

licentious course;<sup>375</sup> in other words, she has failed to practice the 'good works' necessary to validate her baptismal covenant. In the journal of the Revd John Longe he is careful to note his parish's regular acts of 'good works;' for example, the annual church door collection in support of the Society for the Propagation of the Gospel,<sup>376</sup> <sup>377</sup> the distribution of legacies to the poor in money, and the provision of raiment via a clothing club. But he also records his deliberate decision to preach on the crime of murder and drunkenness in response to an incident in Ipswich.<sup>378</sup> Viewed through this lens, baptism, and its concomitant obligations, could be construed as the very definition of a 'common institution.' It was a rite through which access to salvation was unconditional, but continued membership required the individual to internalise (or the 'banalification' of) social behaviours through which to maintain their continued validation. In the spirit of the later Comteian analysis, baptism (in the Neo-Arminian understanding) became the foundational act of a public, or social, religion.

### ***Naming***

The significance of the advancement of a theological understanding of baptism which so inextricably tied the prospect of eternal salvation to one's service to the wider community was neatly complementary with the specifically civil side of the dual-purpose of baptism. For probably the great majority of those looking to present their children for baptism the increasingly strained theological wrangling over the precise definition of terms such as 'justification' and 'regeneration' were largely irrelevant in

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<sup>375</sup> Ibid.

<sup>376</sup> Longe, J. (2008) *The Diary of John Longe, Vicar of Coddendam, 1765-1834* (Woodbridge, The Boydell Press), p. 138. The Revd John Longe (1765-1834), served as vicar of Coddendam-cum-Crowfield between 1794-1834 and was described by the Suffolk Records Society as an 'affluent and clubbable gentleman-parson of the Georgian age.' During his incumbency at Coddendam he served in a number of other capacities, magistrate, militia officer and supervisor of turnpike trusts and the local House of Industry.

<sup>377</sup> This was in response to an annual appeal for funds issued by the king in support of one of the three ancillary charities to the established church.

<sup>378</sup> Ibid, p. 130.

terms of their motive and understanding of the practice. For most parents, the decision to allow their offspring to undergo the rite of baptism had one fundamental purpose, to confer upon the infant a name, and thus an identity. It represented that key point of transition whereby an extant human infant, socially and spiritually indistinguishable from that of the offspring of any other animate being, went through a process of change into recognised personhood. At a purely prosaic level, in the time before the Civil Registration Act of 1837, the baptism of a child in the Anglican parish church was the only means one could obtain a legal personhood in the shape of official documentation attesting to an individual's existence. But fundamentally bound up with this legal personhood as an individual, was the sense that the child was now brought into the community; both earthly and divine. In his book *Between Pulpit and Pew; Folk Religion in a North Yorkshire Fishing Village*<sup>379</sup> sociologist David Clark has explored this latter understanding in some significant depth. He makes the point that "...in all societies...[the stages of life] are attended by culturally prescribed expectations relating to the role, status and so on....In terms of religion, it is the points of transition between the phases...which are important, since they demand some system of socially recognised legitimation."<sup>380</sup> Citing anthropologist Lloyd Warner's work, he notes that these instances of transition tend to be ritualised and publicly marked by society in order almost to formally 'present' the newly made individual to the community; not only as a person in and of themselves, but also as a new member of a pre-existing family grouping whose position within that community could potentially now be subject to alteration due to the addition of a new member.<sup>381</sup> The actual

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<sup>379</sup> Clark, D. (2009) *Between Pulpit and Pew: Folk Religion in a North Yorkshire Fishing Village* (Cambridge, Cambridge University Press).

<sup>380</sup> Ibid, p. 110.

<sup>381</sup> Ibid.

breakdown of this process of transition is probably most helpfully defined by the pioneering Dutch-French folklorist Van Gennep who saw all rites in terms of a

...tripartite process wherein each reveals a stage of separation, transition and incorporation. The first stage of this sequence places the participant in a state of symbolic separation from the rest of the group. From here the individual passes into a transitory or liminal stage which is 'betwixt and between' two social states. From which position the process reaches its resolution by the final rite of incorporation of the individual into a new social location.<sup>382</sup>

As an unnamed infant one is separated, both from the self (the self does not yet exist) and from the community (which in part includes one's own family). The transition is then affected by the rite of baptism – and the granting of a name – the ceremony itself providing that moment of transition 'betwixt and between' two social states. At the culmination of this ceremony the infant is introduced (an act itself predicated on the reality of an identity) as a socially recognised person allowing for their successful incorporation into the wider community.

### ***Baptism in the Proper Form***

The centrality of the actual act of giving a child a name, as opposed to the wider soteriological elements of the rite, is reflected in that, despite clear regulations, in practice the experience in the parishes was one in which the demands of the laity increasingly took precedence over the Church as to when and how the practice of baptism was to be conducted. As noted above, the ceremony of baptism was one that was intended to be performed publicly, during the afternoon service, before the gathered community in the parish church. Accompanying every male child to the font would be two godfathers and one godmother, and with every female child two godmothers and a godfather. According to the rules set down in the Prayer Book, all

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<sup>382</sup> Ibid, p. 112.

this was to take place "...[not] longer than the first or second Sunday next after their birth, or other Holy-day falling in between, unless upon great and reasonable cause;"<sup>383</sup> that is to say, if the child was particularly weak and/or sickly it was to take place as soon as possible. Ministers were also to "...warn them, that without like great cause or necessity they procure not their children to be baptised in their houses."<sup>384</sup> However, deviation from this ideal was widespread, and often deliberately planned in order to suit the needs of the family (or to align with particular community traditions). These challenges to the established rubric took a number of forms. On the question of the timing of baptism, the evidence brought forward in work of Berry and Schofield on the age of baptism in the pre-industrial period<sup>385</sup> suggested that up until around the period 1650-1700 the intervals recorded between the birth of a child and their baptism tended to be relatively short (a matter of a handful of days). After this point the interval period continues to lengthen until the early nineteenth century when the majority of parishes analysed by the authors were baptising only after a considerable period of time had elapsed (sometimes as wide as 15 months<sup>386</sup>). It was also quite common for parents to bring their child forward without the support of sponsors, or godparents (colloquially referred to as 'gossips').<sup>387</sup> The most common reason given for not meeting this requirement was the supposed costs which attended the procurement of sponsors, especially among working people. Parents complained that would-be sponsors would likely demand treats<sup>388</sup> or at the very least some tea by way of

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<sup>383</sup> Gibson, E. (1713) *Codex juris ecclesiastici Anglicani*, p. 447.

<sup>384</sup> *Ibid.*

<sup>385</sup> Midi Berry, B. & Schofield, R. S. (1971) 'Age at baptism in pre-industrial England,' *Population Studies*, 25:3, p. 458.

<sup>386</sup> *Ibid.*, p. 459.

<sup>387</sup> Obelkevich, J. (1976) *Religion and Rural Society: South Lindsey 1825-1875* (Oxford, Clarendon Press), p. 128.

<sup>388</sup> *Ibid.*

reward.<sup>389</sup> For those who did succeed in procuring sponsors, there was often the request made that the rite be performed on a weekday, rather than a Sunday precisely in order to avoid the need for compensation; "...we will not have it on a Sunday. How are the gossips to enjoy themselves after the christening?"<sup>390</sup> However, the burden of costs alone would not necessarily account for the widespread absence of godparents given the significance attributed to the rite of baptism. Even the humblest family would have been prepared to spend what little they had on the marking of such an important occasion if they saw the use-value of godparents. Unfortunately, evidence from Lincolnshire points to the relatively ill-defined nature of the role, despite the best efforts of organisations like the Society for Promoting Christian Knowledge (SPCK) to provide educational tracts and pamphlets on the subject, which may have led many to question the 'return on investment' given by this irksome requirement for sponsors. Even for the better informed spiritually, it was readily acknowledged that "...the child's religious education would be left to parents, teachers and clergy"<sup>391</sup> rather than godparents. Many could argue with confidence that the baptismal covenant of their child would not be imperilled by the absence of godparents (there was no theological prescription compelling attendance), and therefore why go to the additional trouble to find willing parties. Similar arguments were advanced as justification for the practice of private baptism.

The practice of private baptism had become more widespread from the early seventeenth century as part of the continuing fallout of the Reformation in England.

Those critical of the compromises and ambiguities necessary to reach the religious

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<sup>389</sup> LAO CorB5/4/11, C.S. Bird to Kaye, n. d. (1843) cited in Knight, F. (1998) *The Nineteenth Century Church and English Society* (Cambridge, Cambridge University Press), p. 87.

<sup>390</sup> White to Kaye, 8 Jan. 1834, Cor. B. 5/4/10/1 cited in Obelkevich, *Religion and Rural Society*, p. 128.

<sup>391</sup> Knight, F. (1998) *The Nineteenth Century Church and English Society* (Cambridge, Cambridge University Press), p. 87.

settlement, in particular (but not exclusively) those 'hotter' sort of Protestants, saw the opportunity of private baptism as an occasion by which they might gain the conscientious assurance of the religious validity of the rite for their offspring, and thus forestall any danger that they be tainted by compromise which was likely practiced in the parish church.<sup>392</sup> For example, Presbyterian minister John Greene (d. 1660) is recorded as having his eldest son baptised at home by his uncle who "...used the Common Prayer Book, but signed it not with a cross."<sup>393</sup> Rather ironically, during the period of the Commonwealth it would be traditional Anglicans who took up the practice as their own traditions and customs (bound up in which was the notion of legitimation or validity) were formally dismantled by the Presbyterian Ascendency. This emergence of pluralism in baptismal practice was something that even the Restoration Church failed to completely eliminate after 1662. In terms of illustrating the significance attached to the rite of baptism (in its duality), the failure of the Church to stamp out the practice of private baptism is helpful in a number of ways. The confidence with which certain groups felt able to defy official Church teaching in favour of what they considered to be their preferred manner of administering the rite of baptism demonstrates the powerful sense in which the ownership of faith and identity could be asserted against what was deemed formal practice; these two aspects needed to align (or at least not repel) in order to achieve banality. In the post-Reformation period this alignment came under significant strain as the Church (and through it the nation) fragmented into two broad opposing factions. By its very nature a faction requires the positive assertion of conformity over the messier ambiguities of a comprehensive Established Church. When played out on a parish level, it could be argued that there

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<sup>392</sup> Thompson, D. M. (2005) *Baptism, Church and Society in Modern Britain* (Milton Keynes, Paternoster), p. 5.

<sup>393</sup> *Ibid.*



was a perception of the 'capture of the Church' by one of the two factions and thereby compelling the other to surrender this once inclusive space and retreat into the bosom of one's household. It was here that one was free to preserve a recognisable conformity (which itself becomes an expression of positive assertion) and its attendant notions of validity and legitimacy. The familial group simply became the more reliable 'community' through which to assure the infant of both their salvation and their personhood. It was an expression of one's continued loyalty to their parish, but a loyalty it was now possible to conceive as (partially at least) disaggregated from the geographical church-centred parish.

This was by no means a permanent state of affairs, as the factionalism of the Civil War and Restoration period began to fade into memory as communal parish practices resumed. However, in some places what may have begun as an overtly political act, settled easily into customary (familial and parish) behaviour. In another example of a sense of popular lay ownership of the Church at parish level, it was simply a great deal more convenient for many parishioners, at the top and bottom of the social scale, for baptism to take place privately (whether in the home or in the vestry). The Revd John Johnson, a leading high churchman at the beginning of the eighteenth century, wrote to one of his gentlemen parishioners in 1715 stating that he "...would not baptise his child at home while he was in perfect health."<sup>394</sup> Robert Stanley, the Vicar of Blidworth, in his Visitation return recorded that before he came to the parish it had been customary to have children privately baptised and never bring them afterwards to be received in the church.<sup>395</sup> However, he went on to offer his reassurance that he had

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<sup>394</sup> Houlbrooke, R. (1998) *The English Family Life, 1450-1700* (Oxford, Oxford University Press), p. 110.

<sup>395</sup> Ollard, S. P. and Walker, P. C. (1929) *Archbishop Herring's Visitation Returns 1743 IV* (Yorkshire Archaeological Society Records Series), p. 26.

now persuaded all but two to comply with the rubric. In the same year (1743), the Rector of East Leake, Granville Wheeler, reported difficulties in getting one or two people to bring their children to the church after a private baptism.<sup>396</sup> Similarly for Thomas Beaumont, Rector of Bulwell, Nottinghamshire. He confessed that; “There are nine children which have had private Baptism, and not yet brought to Church to be received into the number of Christ’s Flock and to be sign’d with the sign of the Cross. I have used what means I can to prevail with ‘em; They promise, but do not perform.”<sup>397</sup> Woodforde also makes a number of references to the predilection for private baptism. In his diary he records that in April, 1779, he had publicly christened the son of Mr Custance (the local squire) but noted also that “...it [the child] had been privately named before,”<sup>398</sup> then again, 18 months later, Woodforde returns to ‘privately name’ another of Mr Custance’s sons.<sup>399</sup> In his Visitation Return to the Bishop of Norwich in 1784 he writes that he wished “...that parents could be prevailed to bring these children to be publicly presented into Church.”<sup>400</sup> The bringing of the baptised children into the church to be ‘presented’ after their private baptism could be advanced as evidence of a mutually agreed compromise between lay preference and the official requirements laid down by the institutional Church. Beyond simple demand, the convenience of private baptism also allowed for the meeting of the demand for baptism in some more specific circumstances. For example, lack of adequate church provision in parishes which were geographically large but with highly dispersed populations. The curate of Burstow, Surrey, reported in his Visitation Return of 1717 that, “The parishes

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<sup>396</sup> Ibid, p. 87.

<sup>397</sup> Ibid, p. 88.

<sup>398</sup> Beresford, J. (1935) (ed.), *Woodforde: Passages from the Five Volumes of the Diary of a Country Parson 1758-1802* (London), p. 125.

<sup>399</sup> Ibid, p. 136.

<sup>400</sup> Jacob, W. M. (1996) *Lay People and Religion in the Early Eighteenth Century* (Cambridge, Cambridge University Press), p. 73.

are extremely large in this neighbourhood and a custom has prevailed (but not very long standing) to baptise everybodies [sic]' children at home, and the ministers hereabouts use the form of publick baptism upon such occasions."<sup>401</sup> Further west, in the hill country of Herefordshire, when the weather was particularly harsh clerics were often prepared to perform a so-called 'public' baptism in houses sometimes miles from the church itself.<sup>402</sup> Another reason might be to avoid the eruption of local scandal should a child have been conceived, or born, out of wedlock. In January, 1766, the Revd William Cole (Vicar of Bletchley) recounted how he had been called to marry a couple on the following day so that he could baptise their child; which had been born some time before. The urgency of this request was made quite apparent to him as the respective fathers had reached agreement on this being the most appropriate way forward for the young lovers. Cole records the event in a diary entry of 16<sup>th</sup> January; "I married John Hinchley to Elizabeth Crane in the Church but desired them to come into the Parlour to sign the Book and for me to write the Entry into it, as it was so cold. When I was got there, they had got the Child there to be baptised and when that was done, the Mother begged that I would also church her."<sup>403</sup> Despite expressing some discomfort in fulfilling these requests, remarking that the whole affair seemed rather "...absurd [doing it] in the parlour,"<sup>404</sup> he readily admitted that to have refused the request would have driven the couple into the hands of the local Dissenters who were "...so relaxed as to come to nothing"<sup>405</sup> (that is there was little insistence on form or propriety). Cole was under no illusions as to the realities of working in a parish within

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<sup>401</sup> Ward, W. R. (1994) *Parson and Parish in Eighteenth Century Surrey: Replies to Bishops' Visitations* (Guildford, Surrey Record Society), p. 153.

<sup>402</sup> Marshall, W. M. 'The Dioceses of Hereford and Oxford, 1660-1760,' cited in J. Gregory, J. and Chamberlain, J. S. (2003) (eds.), *The National Church in Local Perspective: The Church of England and the Regions, 1660-1800* (Woodbridge, The Boydell Press), p. 213.

<sup>403</sup> Stokes, F. G. (1931) (ed.), *The Blecheley Diary of the Rev. William Cole* (London, Constable & Co), p. 246.

<sup>404</sup> *Ibid*, pp. 8-9.

<sup>405</sup> *Ibid*.

which the Church had lost its monopoly on spiritual provision; "...there is no parleying with your Parishioners on any point of doctrine or discipline: for if you are rigid, they will either abstain from all ordinances, or go over to the Dissenters."<sup>406</sup>

The need for a degree of contextual flexibility on the part of the parish priest even extended to the actual form of the rite itself. Reference above is made of the 'naming' of children privately. Whilst this may reflect the cleric's deliberate use to language to make a distinction between private baptism and the public rite (as laid down in the Book of Common Prayer), it also made reference to a shorter, unauthorised form of baptism, known as the 'naming ceremony.'<sup>407</sup> Those infants to be 'named' were brought into the vestry by their parents or nurses, they received their name by the sprinkling of water and the use of the baptismal formula. The ceremony would then conclude with one or two prayers.<sup>408</sup> After this was complete, the child would be registered, a certificate issued and the fee paid. The use of this form of baptism was in commonly accepted usage in Nottinghamshire, but also elsewhere,<sup>409</sup> and was therefore the customary recognised form by the laity. It was by common institution in these parishes. However, attempts by the Church to suppress this tradition in favour of public baptism invariably met with a great deal of lay, and some clerical, opposition. A leading critic of this policy was George Wilkins, Archdeacon of Nottingham and Vicar of St. Mary's Church, Nottingham (the principal Anglican place of worship in the city), who, writing at the time just after the implementation of the Civil Registration Act, warned his superiors that attempts to bring an end to this customary form of baptism and to enforce the requirement for public baptism would dramatically reduce the

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<sup>406</sup> Ibid.

<sup>407</sup> Knight, *The Nineteenth Century Church*, p. 87.

<sup>408</sup> Ibid.

<sup>409</sup> Ibid.

numbers of infants being presented for baptism, the numbers having already been significantly lowered as parents now had the alternative option of civil registration.

In the examples set out above it is clear that the continued loyalty to, and identification with the parish church as the institution through which one was to receive their 'name' was strongly associated, in many places, with the experience of the church being fundamentally banal; that is to say, deferential to both local customary practices, and to lay demand. In those localities where the church attempted to challenge inherited customs and/or actively frustrate lay demand there was an acknowledged risk that this could compromise the link between parishioner and church. And it was in this banality that one can point to the complementarity between dual aspects of baptism; spiritual and civil. The Neo-Arminian soteriology taught that to be placed on the path of salvation was unconditional, but to ensure one's continued journey (that their baptism remained valid) the individual was bound to the useful and good service of their community. To receive a name, in the civil sense, is to undergo the process by which an undifferentiated human infant is granted an identity, and this identity allows for the recognition of their personhood by the community to which they are presented and incorporated. However, like the distinction between the unconditional access to baptism but the conditional nature of its maintenance, the granting of a name can be distinguished from the recognition of personhood. Personhood, like justification requires some form of communal recognition to become valid. Whilst a legal name can exist outside of a community, personhood requires the incorporation of that named individual into the community. In the case of good works, in a community in which you are unknown the validity of your acts could be compromised by the individual's status as outside of that community. Only when one is incorporated fully, as a person, will those acts necessarily acquire the recognition as being 'good.' Therefore, to a degree,

one's full personhood (spiritual, legal and civil) remained tied through baptism to the Church-centred parish.

The banalification of the Anglican baptism, effected as it was through the complementarity of theology and naming, could help to explain the continued relevance of the Anglican parish to Methodists, in particular those of the Wesleyan variety, as the most appropriate location in which to mark the rites of passage.<sup>410</sup> Until probably the final quarter of the nineteenth century, the relationship between those adhering to these traditions and the Anglican Church varied according to the specific circumstances on the ground. Indeed, the evidence suggests that in many places a degree of easy inter-denominationalism prevailed until well into the century. From the theological side of the duality of baptism, the Wesleyans (and others) shared a common Neo-Arminian theology with the Church of this period. In terms of the naming side, set within a context in which there was a willingness on the part of the Church to be deferential to customary local practices, there was sufficient latitude allowed to those adhering to these traditions to preserve a *form* of Anglican identity which demonstrated its loyalty through the acceptance of the validity of the Church's rites of passage; a practice which itself supported historical foundation of the movement as a tendency within the Church, not as a sectarian fracture from it. This attitude is articulated nicely in the recorded words of a Dissenting father from East Dereham, Norfolk, when questioned by the vicar as to why he wanted his children baptised at the parish font; "I ollus say begin and end with the Church whatever you do between-whiles."<sup>411</sup> There is evidence however, that even for those Dissenting groups whose

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<sup>410</sup> Ibid, p. 25.

<sup>411</sup> Armstrong, H. J. (1963) *Armstrong's Norfolk Diary: Further Passages from the Diary of The Reverend Benjamin John Armstrong, Vicar of East Dereham, 1850-1888* (London, Hodder & Stoughton), p. 96.

views did not align with the Neo-Arminian theology (and therefore the spiritual side of the duality), there was for some a recognition of the relevance of the naming side (beyond just the need for legal registration). For example, the incumbent of Pinchbeck in Lincolnshire, the Revd Hector Nelson, recalled the following; “I have been requested to Baptise children who have been ‘named’ at meeting houses of Dissenters. It is remarkable as being entirely a suggestion of the Parents’ own mind – a disbelief in the validity of such Baptism.”<sup>412</sup> Similarly in Staithes, North Yorkshire, Dissenters maintained the tradition of having their children baptised in the parish church until as late as the 1930s.<sup>413</sup> One could view this apparent disbelief as confirmation of the duality of baptism; theological and naming (spiritual and civil), and that both elements were required to be equally satisfied, a cross-sanctification as it were, for the baptism to be truly valid. And to one, or both parts, the Anglican Church was indispensable.

### ***Duality Disrupted***

If the essence of the banality of the Anglican baptism lay in its ability to reconcile the dual aspects of baptism into a complementary framework, it was in the disruption of this complementary framework which would place the banality of the institution under severe strain. Like the duality of baptism itself, the upsetting of this framework had both a spiritual/theological element, and a civil/naming one. In the case of the former, the prevailing Neo-Arminian understanding of the theology of baptism came under sustained attack from the end of the eighteenth century and into the nineteenth century by the growing Evangelical movement. Like the Puritan reformers before them, the Evangelical movement sought to undermine the significance of baptism as a vehicle of salvation. In his self-composed epitaph, the Revd John Berridge, Rector of Everton

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<sup>412</sup> LAO CorB25/4/38/2 H. Nelson to John Kaye, 24 October 1850.

<sup>413</sup> Clark, *Between Pulpit and Pew*, p. 118.

(Bedfordshire) from 1755 until his death in 1793, captured the central point of contention for the Evangelical. He asked 'Reader art thou born again? No salvation without a new Birth.'<sup>414</sup> Pursuing the same line of argument in a letter to John Thornton in 1787, Berridge had declared that

I do not much prize our Church catechism, it begins so very ill, calling baptism our new birth, and making us thereby members of Christ, children of God, and heirs of the Kingdom of Heaven...the promising of infants, what they cannot engage for themselves, may suit a covenant of works but, not a covenant of grace.<sup>415</sup>

Crucial to this distinction between 'works' and 'grace' is the concept of 'the new birth.' For Neo-Arminians like Waterland, the baptism of the infant was the point at which regeneration (or new birth) took place. This was defined as the moment of "...spiritual change wrought upon any person, by the Holy Spirit;"<sup>416</sup> it was the movement from "...the natural state of Adam to a spiritual state in Christ."<sup>417</sup> Coming through this one had been irreversibly, and unconditionally, placed on the path to salvation. Now it was entirely possible for that individual to stray from that path, and to undermine the saving effect of that covenant state. But in such circumstances, the individual also had the opportunity to reform through 'good works.' This was a national and an inclusive soteriology. Baptism rendered all equally worthy to strive towards God. For its Evangelical critics like Berridge, the Neo-Arminian soteriology, whilst undoubtedly well intended, had simply failed in its duty to bring the world to Christ because of its preoccupation with outward reformation, but an unwillingness to acknowledge the continuing influence of original sin on man's interior life. Although it was not denied

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<sup>414</sup> Thompson, *Baptism, Church and Society*, p. 22.

<sup>415</sup> Berridge to John Thornton, 27 October 1787 et al Whittingham, R. (1838) (ed), *Works of the Rev John Berridge* (London), p. 457.

<sup>416</sup> Waterland, D. *Regeneration Stated and Explained according to Scripture and Antiquity* et al van Mildert, W. (1823) (ed), *The Works of the Revd Daniel Waterland* (Oxford), vi, p. 343.

<sup>417</sup> Ibid



that a genuine spiritual regeneration could take place at the moment of infant baptism, for the great majority of the baptised this did not happen. How could it, when throughout their life they were never called to exhibit any proof of such a complete internal change. Only with the day of their conversion, the day "...when light flooded the empty vessel"<sup>418</sup> did the individual finally obtain true regeneration. Berridge described the effect of this moment; "The Spirit's birth brings a meetness for heaven; it teaches men to offer spiritual sacrifices, but gives no right to pardon, nor any claim to eternal life. These blessings are wholly treasured up in Christ, and only are obtained through faith in him."<sup>419</sup> Salvation was no longer a gift, freely bestowed upon all who were baptised, but rather it was a prize to which the baptised must constantly work and strive. But unlike the notion of good works in the Neo-Arminian understanding, the good works of the Evangelical were worthwhile in and of themselves but accounted for little spiritually. The personal achievement of grace was thus disaggregated from the internalisation of good social behaviours in favour of a purely individualised struggle with sin. The banality of social religion was downgraded in favour of constant positive expressions of selfish piety. James Randolph, Bishop of Bangor (1807-1809), in his episcopal charge to the diocese of 1808 attacked this Evangelical soteriology precisely on its likely implications in the parishes. He wrote;

...we are now imperiously called upon to divide our hearers, being believers in Christianity in common, into the two classes of converted and unconverted...among men baptized as Christians, taught from their infancy to believe the doctrines and practice the duties of Christianity, a special conversion also at some period of their life is necessary to stamp them true Christians.....They exclude those whom Christ emphatically pronounced blessed, and was prepared to receive with open arms. They do this, when

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<sup>418</sup> Hilton, B. (2008) *A Mad, Bad & Dangerous People? England, 1783-1846* (Oxford, Clarendon Press), p. 176.

<sup>419</sup> Whittingham, *Works of the Rev John Berridge*, p. 343.

they teach that no purity of heart which we can attain, no efforts of our own to preserve rectitude, of conduct can...even prepare us, for the grace of God, and the mercies of the Covenant.<sup>420</sup>

Mant took up a similar line of argument in his Bampton lecture on conversion (1812) when he condemned George Whitfield's<sup>421</sup> assertion that "...in every Christian congregation there are two sorts of people, some that know Christ, and some that do not know him, some that are converted, and some that are strangers to conversion."<sup>422</sup> What had formally been a rite of passage through which all were brought equally into God's grace, but were similarly all burdened with the duty of an active engagement in their community, was in the Evangelical thinking reduced to little more than a signal of intention to a life worthy of salvation. We are all saved, became what must I do to be saved? The emphasis shifted from a presumed communal equality, to a spiritual meritocracy in which there were to be winners (the converted) and losers (the unconverted). For the Evangelically-inclined incumbent, his responsibility was to a parish, but the space of the church was increasingly to be reserved only for those who positively worked towards conversion; rather than all the baptised.

The demand for greater positive expressions of religious behaviour, were not necessarily confined to the Evangelical movement. As noted above in the example of St. Mary's, Nottingham, there were periodic attempts by the Established Church itself to enforce greater canonical discipline in terms of baptismal practice; namely the requirement of public baptism. This effort would only grow in frequency as the pressure

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<sup>420</sup> Randolph, J. (1808) *A charge delivered to the clergy of the diocese of Bangor by John, lord bishop of that diocese, at his primary visitation Bangor*, pp. 17-21.

<sup>421</sup> George Whitfield (1714-1770), a close associate and friend to the Wesleys and leading figure in the Oxford Holy Club. Ordained within the Anglican Church, Whitfield was never assigned to a living and instead took to itinerant preaching. Travelling widely in Britain and the American Colonies, Whitfield became renowned for his charismatic and dramatic preaching style. President of the First Methodist Conference, Whitfield would found a number of new congregations in Bristol and London.

<sup>422</sup> Mant, R. (1815) *Two Tracts intended to convey correct notions of Regeneration and Conversion according to the sense of Holy Scripture and of the Church of England* (London), p. 61.

on the institutional church by the Evangelical reformers (inside and outside the Church) forced the bishops to respond with a greater attempt to draw clearer divisions within their flock between those who were Anglican and those who were not. For some communities, this effected almost the exactly the same de-nationalising of the church space as that which the Evangelical downgrading of the religious significance of baptism was bringing about. That said, in the period before 1837, it was still possible (and indeed necessary) to maintain association between baptism and one's loyalty too, and identity with, the Anglican Church even in circumstances where incumbents actively challenged lay demand in the parish. This could be via private baptism, but it could also be through the family agreeing to travel to a neighbouring parish, with a more amenable minister. However, in the period after the introduction of the Civil Registration Act, the duality was pretty much exploded. For the first time (for the majority of the population at least), a valid legal personhood could be acquired outside of the institution of the church (inclusive of private baptism). This legally instituted division between the spiritual and civil served to undermine the concept of a personhood validated by the community. One's identity was now a creation of legal writ, granted privately, and invisibly from the community (even from family and friends). Identity was now rendered an entirely individual possession; it was no longer associated with obligations which encouraged the attachment to the wider parish community. Trust had given way to law.

### ***Burial***

If one can attribute legal interposition as the cause for the de-banalification of baptism, it is not an assumption that can so readily be made at the other end of the life-cycle; namely with death and burial practice. Here the relationship between identity and the Church-centred parish is rather more complex. Like baptism, the act of burial can be

conceived as fulfilling a dual purpose; one civil/functional, the other 'spiritual' (the term is chosen over 'religious' very deliberately here). But, unlike baptism, the two elements within the duality appear as a paradox. The death of an individual produces a body which requires disposal; the deliberate removal of a corpse from the place of the living for the wider good of the community. At the same time however the burial rite and interment of the body provokes a desire on the part of those still living to see beyond a mere deceased biological entity to the (former) person. They do not wish to simply throw away a now useless object, rather they wish to care for and preserve the existence (through memory) of the departed. It is a desire to retain a link to this named individual in whom they see both a reminder of their own mortality but also as some missing element within their family or community (this is the case whether that person was held in any great esteem or not). This sense is splendidly captured by the author Thomas Hardy who, when making a speech at the receipt of his Honorary Freedom of the Borough of Dorchester in 1910, recalled his childhood in the district (he was born not far from the town in 1840) and lamented that the only place he could now go to recognise his home town was to the cemetery where "...the names on white stones, one after the other, recall the voices cheerful and sad, anxious and indifferent, that are missing from dwellings and pavements."<sup>423</sup> If a key aspect of banality is that of a common experienced reality, then death would fit this categorisation rather well. Indeed, there were forces at work during this period that would only serve to enhance (to a certain extent) humanity's ability to banalify death. At the very same time, society began to demonstrate a far greater interest in exhibiting the individual impact of a death within the family or community through burial practices. The Church was

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<sup>423</sup> Hotz, M. E. (2010) *Literary Remains: Representations of Death and Burial in Victorian England* (New York, State University of New York), p. 99.

probably the one institution which could actually reconcile this paradox to any meaningful extent given its role as both validator of the rites of passage and focal-point of community identity (including as custodian of collective memory or history). However, rather ironically, it was the very fact that the Church was the only institution which was able to reconcile this paradox that led to the weakening of the association between the Church and this particular element of parish life. Put simply, it was to become a victim of its own success.

### ***Recorder, Physician and Officiating Minister***

Before drilling down into this a little further, it is perhaps helpful to understand the Church's canonical role in death and burial. Taking the former first, it was certainly the case that in some parishes (particularly in London) it was the clergy that had a direct responsibility to validate a death as being a natural one. As soon as a death took place, the incumbent (or the curate) was to be informed and he was then to ascertain, as far as he was able, the cause of death from those who had attended the individual at the moment of their demise. If satisfied that nothing untoward had taken place, the clergymen would notify the parish clerk who was charged with the duty of recording this information in the parish record.<sup>424</sup> However, there is little evidence that such a practice took place outside of the cities and larger towns. What was more usual was for the clergyman, often discharging the office of clerk himself, would simply record the burial of parishioners; the addition of greater or lesser commentary on this depending entirely upon the diligence of the individual incumbent (or their clerk). Notwithstanding the variation in the practice of 'certification of death,' the clergy's role in this process reinforced the notion of the Church (embodied in the minister) as almost

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<sup>424</sup> Cox, M. (1998) (ed.), *Grave Concerns* (British Council of Archaeology, London), p. 3.

regulating movement between the states of life and death. It was the medium through which a biological reality (death) was given certainty by divine sanction. Put another way, God had decreed that there was to be no recovery; miraculous or otherwise.

It is possible to take this notion of the clergy as very much at the threshold of life and death even further through their often-informal role in the provision of medical care within the parish. At a time before the widespread accessibility of professional medical services; in particular in more distant rural areas, the parish incumbent would have been the most likely non-familial attendant at the bedside of their failing parishioners. It is true that the Ordinal of the Church did not formally mandate the ministering to the physical ailments of the sick and dying as part of the charter role of the clergyman in his parish; such interventions being confined to spiritual exhortation and the distribution of charity, but it is clear from clerical handbooks written by such authorities as George Herbert, Richard Baxter and Gilbert Burnet<sup>425</sup> that to act in the capacity of medical practitioner for the parish was to be greatly encouraged. Drawing parallels with the ministry of Christ as healer of the sick, George Herbert wrote that; "...if there be any of his flock sick, he is their physician or at least his wife....,"<sup>426</sup> but if the clergyman did not feel capable in rising to this task, he suggested that "...he keep a young practitioner in his house for the benefit of the parish."<sup>427</sup> Elsewhere, the anonymous author of *A Letter of Advice to a Young Clergyman* (1709) encouraged the budding young incumbent to "...mix some physick (medicine)...with your other studies."<sup>428</sup> There is ample evidence from the clerical diaries of the period that this

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<sup>425</sup> George Herbert (1593-1633), Welsh-born poet and rector of Fugglestone St. Peter, Salisbury. Richard Baxter (1615-1691), poet, theologian and Puritan church leader. Gilbert Burnet (1643-1715), Scottish philosopher, historian and Bishop of Salisbury.

<sup>426</sup> Blythe, R. (2007) (ed.), *A Priest to the Temple Or the Country Parson: With Selected Poems by George Herbert* (Norwich, Canterbury Press), p. 52.

<sup>427</sup> Ibid.

<sup>428</sup> Anon (1709) *A Letter of Advice to a Young Clergyman*, p. 5.

advice was indeed heeded by many in parish ministry. The mid-eighteenth-century Bedfordshire priest the Revd Benjamin Rogers<sup>429</sup> recorded his efforts in trying to save the life of one of his flock;

(25 March) Order'd William Allen of Bridgend to be blooded for the Pleurisie. (2 April) Order'd him to be blooded again. The first time about 11 ounces was taken away; the second about 9. (3 April) He was blooded again, 10 ounces being taken away as before. (4 April) He died.<sup>430</sup>

During his time in Norfolk, the Revd James Woodforde noted sickness among his servants and parishioners, and his attempts to administer relief. For example, "My boy Jack had another touch of ague about noon. I gave him a dram of gin at the beginning of the fit and pushed him headlong into one of my ponds and ordered him to bed immediately."<sup>431</sup> Although it was not only his parishioners for whom Woodforde developed a reputation for providing medical treatment, he also gained considerable notoriety for his prowess in veterinary work.<sup>432</sup> The writer and polemicist Sydney Smith,<sup>433</sup> obliged to occupy his living under the terms of the Residence Act 1803, immediately set about improving the quality of medical care available to his parishioners in Foston-le-Clay where he spent a great deal of time personally attending the sick. This work he diligently carried on when he moved to the parish of Combe Florey where he "...established an apothecary shop in the rectory, from which he dispensed medicines and groceries."<sup>434</sup> Although not all clergymen, on all occasions, physically practiced medicine themselves, most were willing to use their contacts and resources to arrange for such provision by others. Before his break with

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<sup>429</sup> Benjamin Rogers was vicar of Carlton (Bedfordshire) between 1720 until his death in 1771.

<sup>430</sup> Linnell, C. D. (1950) (ed.), *The Diary of Benjamin Rogers rector of Carlton, 1720-71* (Streatley, BHRS), p. xi.

<sup>431</sup> Beresford, *The Diary of a Country Parson*, p. 168.

<sup>432</sup> Russell, *The Clerical Profession*, p. 204.

<sup>433</sup> Sydney Smith (1771-1845), Whig churchman, preacher and writer.

<sup>434</sup> Pearson, H. (1934) *The Smith of Smiths* (New York City, Harper & Bros), p. 204.

the Anglican Church, Benjamin Newton<sup>435</sup> paid for the service of a doctor after the amateur ministrations of the family had failed to relieve a dying parishioner.<sup>436</sup> The Revd John Skinner similarly sent and paid for a doctor to attend a sick parishioner.<sup>437</sup> The performance of this role continued well into the nineteenth century. The publication of the pamphlet *Instructions for the Relief of the Sick Poor in some Diseases of Frequent Occurrence, Addressed to the Parochial Clergyman Residing at a Distance from Professional Aid* in 1820, written by a medical doctor, provided helpful up to date guidance in support of this aspect of the office. In a period when epidemic disease was becoming a growing problem in many of the expanding urban areas, the provision of basic information on treatment and care was doubtless most gratefully received by many of those working in parishes in which disease was running rampant. Writing of her father's time in the parish of Wartling (Sussex) during the 1830s, Edward Boys Ellman's daughter recorded the situation there on his arrival and his response; ...and soon after he went to Wartling there was a very great deal of illness – scarlet fever, measles, smallpox, and low fever. The people could not afford a doctor and the parish doctor did not trouble himself to look after them much. But their new Vicar had a knowledge of medicine and kept a big medicine chest and won many hearts by so doing.<sup>438</sup>

The types of treatment offered by these cleric-physicians was usually no more sophisticated than traditional, homespun remedies and techniques. "Brandy and salt was much given in those days," commented the Revd Benjamin Philpot,<sup>439</sup> "...and I

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<sup>435</sup> Benjamin Wills Newton (1807-1899), born to a Quaker family, Newton joined the Anglican Church when attending Oxford. He later broke with Anglicanism also and would go on to become a founder member of the Plymouth Brethren. A feud with the leader of the movement, John Nelson Darby, led to his breach with the Brethren. He remained active as a non-denominational Christian teacher until the end of his life.

<sup>436</sup> Fendall, C. P. and Crutchley, E. A. (1933) *The Diary of Benjamin Newton, 1816-1818* (Cambridge), p. 129.

<sup>437</sup> Skinner, *Journal*, pp. 26,43.

<sup>438</sup> Ellman, E. B. (1912) *Recollections of a Sussex Parson* (London, Skeffington & Son), p. 281.

<sup>439</sup> Benjamin Philpot (1790-1889), held incumbencies in Norfolk, Suffolk, Gloucestershire and the Isle of Man and served as Archdeacon of Man between 1832-1839.



used it a great deal.”<sup>440</sup> The same mixture was favoured by Andrews of Ketteringham. A Revd Jessop wrote of his curing a bout of cholera with twelve grams of calomel, and of his preventing a suicide by setting a very painful broken bone.<sup>441</sup> The Revd H.C. Ridley<sup>442</sup> saw this work as almost an integral part of parish ministry. He wrote;

The clergyman is brought so often in contact with the sickness of his parishioners and has so many opportunities of arresting disease in its first attack or relieving its acuteness, that it seems to be quite in character with the duties of a parochial clergyman to be able to administer...those medicines which a good God has bestowed to heal sickness.<sup>443</sup>

It was an opinion shared by the early Tractarian Hurrell Froude, a man of particularly poor health, who advised Samuel Wilberforce,<sup>444</sup> who was then still preparing for Holy Orders, to acquire the new edition of George Herbert’s *County Parson* on the grounds that “Among the ideas which it has instilled in me, it has made me determined to learn medicine, which in a parson is quite different from a doctor.”<sup>445</sup> What is interesting here is that the distinction that Froude seeks to make is not between the amateur and professional practitioner, but rather the nature of the relationship with the patient. To Froude, a professional doctor approaches his work as a species of professional tradesman. Their relationship to the parishioner was purely transactional, and therefore discriminatory. For the parson-physician however, their duty was to minister to the sick of all the parish. They had to serve the whole community, regardless of means or condition.

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<sup>440</sup> Russell, *The Clerical Profession*, p. 206.

<sup>441</sup> Jessop, A. (1887) *Arcady, for better or worse*, p. 5.

<sup>442</sup> Henry Colborne Ridley, rector of Hambleden (Buckinghamshire) until his early death in 1832.

<sup>443</sup> H.C. Ridley cited in Russell, *The Clerical Profession*, p. 206.

<sup>444</sup> Samuel Wilberforce (1805-1873), the third son of William Wilberforce. He served as Dean of Westminster (1845), Bishop of Oxford (1849-1869) and then finally Bishop of Winchester (1869-1873).

<sup>445</sup> Russell, *The Clerical Profession*, p. 206.

Another aspect to Froude's distinction was in the type of 'offer' (to use the consumer jargon) which the respective roles provided to the sick or injured individual. In the case of the medical professional, if their scientifically based interventions failed, they deemed the patient beyond help. In other words, their services were restricted to the 'limitations' of contemporary medical training. But the parson-physician was not so encumbered. Should the patient go unrelieved through medicinal intervention, they were perfectly qualified to seek the healing assistance of the divine. The acknowledgement of this enhanced offer provided a greater degree of certainty that all options for recovery had been exhausted and should death occur the family were provided with a more complete feeling of closure. No medical professional, even a pious one, could provide this twin certainty – biological death and spiritual departure. The crossing of the threshold between this life and the next could only truly be determined by the attendance of their parish priest.

Having passed into the next life, the priest's duties now turned to the burial of the deceased. Like baptism, the service of burial was one of the prescribed set of functions to be discharged by all those holding cure of souls. Then, as today, the *Book of Common Prayer* laid down the full and correct form required of the Anglican burial service. This form prescribed that the body of the deceased was to be met by the Priest and Clerks "...at the entrance to the Churchyard, and going before it, either into the Church, or towards the Grave" who shall say, or sing, the words of John 11.25, 26, Job 19.25,26,27 and 1 Timothy 6.7. Job 1.21. This was then to be followed by the reading of Psalms and a lesson from 1 Corinthians in the Church itself. After this, the party would move out to the grave-side for the formal internment of the body. The service concluded with the reading of the appropriate Collect. As mandated by the 68<sup>th</sup> Canon of the Church of England, clergymen had a duty to bury all those brought into

the church or the churchyard who had been resident in the parish; 'convenient warning being given him thereof before.'<sup>446</sup> The only exception to this requirement was spelt out in the first rubric of the Prayer Book Burial Service: 'Here is to be noted, that the Office ensuing is not to be used for any that die unbaptised or excommunicate, or have laid violent hands on themselves.'<sup>447</sup> For the most part, these latter two categories were largely interchangeable. Of crucial importance here is the principle of (near complete) non-discrimination in death. There is ample evidence to suggest that any laxity on the part of the clergy to the rigorous application of the proscribed service would be met with hostility from parishioners, and the criticism of their peers. A common practice among some clergy during this period was to only perform the graveside part of the service if the individual in question was of lowly or pauper status. For example, arriving in the parish of Moseley, the Revd W. F. Hook found the practice to be in common usage and immediately abolished all fees (at personal cost to him of twenty pounds per annum) in order to remove any disparity in provision of the burial service. Elsewhere, the Revd Charles Ash, curate of Tydd St. Mary (Lincolnshire), was reported as being inaudible to the gathered party and of refusing to stand at the graveside of a poor parishioner. His accuser was forthright in reminding Ash that; "The poor desire to have the same service performed as the rich, for though poor in this world we shall be rich in another, and, the friends of the departed person feel hurt at anything that may seem slighting to service which ought to be performed at that awful [sic] moment." Alive to the regularity of this type of behaviour, the clergyman John Clubbe warned his fellow men of the cloth to "Carry not a rich man into the church and read over him the whole burial service and huddle a poor man into this grave with

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<sup>446</sup> Ibid, p. 79

<sup>447</sup> *Book Common Prayer*, p. 388.

a small portion of it.” Some criticism of such behaviour was more implicit. The ‘graveyard’ (or ‘churchyard’) school of poets (many of whom were themselves clergy), popular throughout the eighteenth and early nineteenth centuries, were recurrent in their references to the equality of death (and by association the right to equitable treatment in the burial service) throughout their work. In his *Elegy Written in a Country Churchyard* Thomas Gray<sup>448</sup> wrote;

The boast of heraldry, the pomp of pow’r,  
And all that beauty, all that wealth e-er grave,  
Awaits alike the inevitable hour.  
The paths of glory lead but to the grave.<sup>449</sup>

A Night-Piece on Death by The Ven. Thomas Parnell similarly observes;<sup>450</sup>

By all solemn heaps of fate,  
And think, as softly-sad you tread...  
Where toil and poverty repose...  
Men, half-ambitious, all unknown...

[The] dead in vaulted arches lie, whose pillars swell with sculptured stones<sup>451</sup>

And from the Revd Edward Young’s<sup>452</sup> *Night-Thoughts on Life, Death and Immortality*;  
Not prudence can defend, no Virtue save;  
Disease invades the chastest temperance;  
And punishment the guiltless;<sup>453</sup>

This was also a sentiment expressed by the Revd James Hervey when describing his observations in his *Meditations Among Tombs, In a Letter to a Lady* (1746), declaring that “I found the memorials of a promiscuous multitude. They were huddled together, without any distinction of rank or seniority... The servant was lodged in the same story

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<sup>448</sup> Thomas Gray (1716-1771), poet, classicist and Cambridge academic.

<sup>449</sup> Dodsley, R. (1763) *A Collection of Poems in Six Volumes. By Several Hands. Vol. IV.* (London, J. Hughs), pp. 1-6.

<sup>450</sup> Thomas Parnell (1679-1718), Anglo-Irish poet and Archdeacon of Clogher (1705-1718).

<sup>451</sup> <https://www.poetryfoundation.org/poems/44841/a-night-piece-on-death>

<sup>452</sup> Edward Young (1683-1765), poet, playwright and later a royal chaplain and incumbent of Welwyn.

<sup>453</sup> Young, E. (1859) *Night Thoughts on Life, Death, and Immortality; and a paraphrase on part of the Book of Job With a life of the author by Dr. [John] Doran* (London, William Tegg and Co).

with his master.”<sup>454</sup> Death was considered to be the ultimate social leveller. No matter your wealth, status or condition, all were equal when it came to one’s ultimate destination. For this reason alone, the principle of equality of access to burial represented a core aspect of the popular attachment to, and association with, the Church’s role in burial.

As for the internment part of the burial service, place and space became the key points of significance. Like the *Book of Common Prayer* itself, it is possible to trace the stress upon the notion of the principle of equality (and right) of access to the burial service to the shift in the theological significance of the burial place effected by the tumult of the Reformation in England. The tradition of turning over a portion of the land surrounding a church to become a cemetery ground (the churchyard) had been established in the late sixth century with a specific purpose in mind. It was decreed by Papal direction that bodies of the deceased were to be buried in the vicinity of churches (or interred within them) in the belief that the graves would act as a reminder to the passing worshippers to pray for the souls of the departed. This intention soon saw the creation of an extensive institutional infrastructure dedicated specifically to the task of providing intercessory prayers, requiem masses and the preferential location of graves close to shrines or altars in the belief that such acts would help to ensure that the soul of the departed would reach the throne of grace. However, with the institutionalisation of such practices came the inevitable financial demands needed to support them. And it was this apparent commodification of holiness which formed a key line of attack for the Reformation’s protagonists. Swept away was to be any notion of the Church as an active agent in salvation post-mortem. It was only through an individual’s faith alone that they would be brought to paradise. The result of this broader turn in soteriological

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<sup>454</sup> Hervey, J. (1746) *Meditations Among Tombs, In a Letter to a Lady* (Bath, J & J Rivington), p. 11.

thinking were two interlinked developments. Firstly, the theological significance of the burial place was shifted away from the souls of the dead and instead brought a renewed focus on the actual physical remains. This shift could be understood through the prism of the three virtues of faith, hope and charity/love. Faith: the presence of the dead was to act as a constant reminder of one's individual mortality. Hope: the burial ground was to be a 'resting place' for the vessel of the body which would be reanimated when the Rapture came. Charity/love: that the physical remains had been shown a proper degree of affection and respect. Secondly, in removing the perceived need for earthly patronage of the soul, the churchyard was theoretically converted into a far more egalitarian space. Rich or poor, the soul was now to be judged equally before God. So as with the physical body, preferment of place of burial, at least from a purely theological perspective, no longer applied. Rather, ironically for reformers, this effort to de-institutionalise salvation actually contributed to the development of a far stronger attachment between parish communities and their church in terms of burial practice. With the emphasis now placed on the physical dead, there existed an implicit theological imperative that a place was secured where the body of the dead could be maintained in as decent a state as possible. For the vast majority of the population the most appropriate place was, indeed remained, their local parish church or churchyard.

### ***The Place and Space of Burial***

Whilst, in theological terms this represented a clear change, the successful accommodation of the practice of churchyard burial into the theology of the reformed Church could in part be explained by the fact that the refashioned orthodoxy merely served to reinforce customary secular traditions which had steadily grown up around the practice of burial since its institution. Despite the pre-Reformation church's emphasis on the importance of burial in locations in which the departed could benefit

from continued spiritual succour (whether through prayer or proximity to relics etc), for many there was a stronger desire to be laid to rest amongst one's family group, or at least as near to them as possible. There is evidence to suggest that as far back as the medieval period wills "...generally requested burial with or next to kin, and indeed this was the commonest instruction."<sup>455</sup> This is backed up by Cressy's work on Elizabethan wills which found that there was a "...stronger preference for burial alongside other members of their families than for burial adjacent to spiritually potent parts of the Church."<sup>456</sup> Such a preference, even during the pre-Reformation era, points to a recognition of a synchronic relationship between the living and the dead. There was an acknowledgement of the deceased as having had an existence at a point in time, and thus as a historical member of the community; which one can apply narrowly to the family, but also more broadly to the parish at large. But in order to have been granted membership of the community in the first place, that individual had to have received familial and communal validation in which the Church-centred parish represented the key source of authority. In other words, in order to have existed in the past, one had to have had a recognised existence in the first place. The deceased had to have had conferred upon them a personhood by which they gained an identity within the community. Burial in family groups, and within the church/churchyard, represented an effort to ensure that the person continued to enjoy their individual and communal identity within the parish in the time after the physical removal of their corporeal presence. It acted as a historical proof of their existence, and membership of the community. The theological shift towards a renewed focus on the physical remains

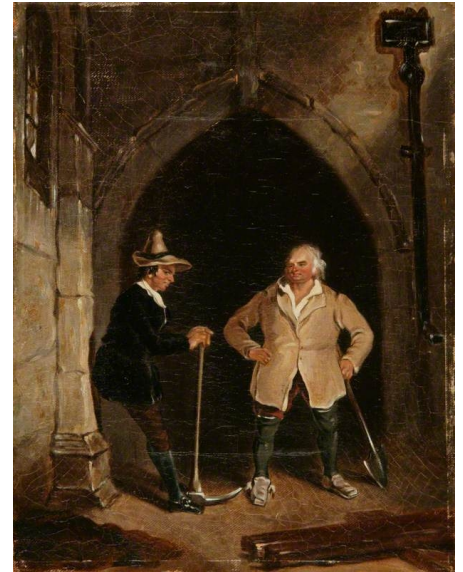
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<sup>455</sup> Daniell, C. (1997) *Death and Burial in Medieval England, 1066-1550* (London), p. 101.

<sup>456</sup> Cressy, D. (1997) *Birth, Marriage and Death: Ritual, Religion and the Life-Cycle in Tudor and Stuart England* (Oxford), p. 461.

only served to provide a powerful spiritual underpinning to the long-established practice of family burials.

This brings us to space. The burial of the dead could take place outside in the churchyard, but also in the church building itself (known as intramural burial) with the availability of space determining the overall proportion and social acceptability attributable to these locations.<sup>457</sup> For many centuries the most desirable location for burial was within the body of the church itself. Families would commission the construction of substantial vaults which were excavated from under the floor of the church or they would pay for the building of dedicated side-chapels.<sup>458</sup>



(Fig. 8.) *The Grave Diggers*, by Henry Liverseege (1803-1832) Courtesy of Manchester Art Gallery

There were also a number of (predominantly medieval) churches which were erected with the sole purpose of providing burial space for a particular (usually aristocratic) family. The presence of intramural internments would often be commemorated with wall monuments or cartouches, marble or stone slabs set into the floor or, less usually, elaborate marble statuary. That said, "...text alone was widely preferred to any visual representation of the dead, and epitaphs or simple descriptive inscriptions"<sup>459</sup> were by far the most popular memorials of the period. For those buried in the churchyard, the process of interring the body (which could just be a body wrapped in a shroud, even simply wooden coffins were an expense sometimes out of reach of the poorest) was theoretically a far more straight-forward affair. After the first part of the service had

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<sup>457</sup> Jupp, P. C. and Gittings, C. (1999) (eds.), *Death in England, An Illustrated History* (Manchester, Manchester University Press), p. 193.

<sup>458</sup> Cressy, *Birth, Marriage and Death*, p. 460.

<sup>459</sup> Jupp and Gittings, *Death in England*, p. 195.



taken place in church, the body was borne out to the grave where it was laid until the conclusion of the second part of the service. Once this was over, the sextons – the parish offices responsible for grave-digging – would fill in the grave.

However, unlike intramural internments where capacity was very much determined by the structural limitations of the building and the location of vaults more easily recorded, determining capacity and location of graves was a far more haphazard affair. The practice of erecting grave-markers, stones or monuments did not become widespread before the middle of the seventeenth century, and even after this point practices varied considerably according to local circumstances. Therefore, finding the spot within the churchyard where the remains of relatives had been interred before about 1650 was almost entirely reliant upon the collective (and historical) knowledge of the sextons, and maybe the parish clerk, who were responsible for such work. Evidence from a handful of surviving sextons' registers point to the importance of this knowledge for the good management of the parish burial space. The register for the parish of Alverstoke, near Portsmouth, recorded the presence of 88 burials in the churchyard by 1750 (the register had been started in 1736). Setting aside those buried in vaults, around 42% of the burials were located close to family members; most often the husbands and wives, brothers and sisters, but occasionally children and grandparents also.<sup>460</sup> However, the fact that just five of those non-vaulted family burials were located by any form of family monument really serves to highlight how important it was for the working knowledge of the layout of the churchyard to be passed on to the next generation of parish officers. In the parish of Horley (Surrey), a rather more practically minded sexton made an unusually detailed plan of the churchyard in 1806. This plan

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<sup>460</sup> Winchester, Hampshire Record Office, M130 of 20M60/47, pp. 76-79 and M 72 of 24M82/PR23 (analysis of entries for 1731,1741, and 1750, pp. 1-2, 9-11, 27-29).

also confirms the presence of familial burials, with many grouped into clusters of two to five graves although there are some which are considerably larger.<sup>461</sup> A similar aide-memoire was compiled by the sextons of All Saints, Great Ayton (North Yorkshire) which included such entries as "...James Murray, aged 13, side next the church, beside his sister."<sup>462</sup> And "Thomas Biggins, 87, is north side of his wife; and George Wetherill, aged nine weeks, is beside his brother."<sup>463</sup> But again, the ability of the sexton to pin-point these groups was predicated far more on their inherited and working knowledge of the ground rather than the helpful presence of grave-markers. The register records only around a quarter of the graves bore any form of memorial (usually nothing more than a wooden 'rail'; a board of wood on two uprights).

The significance of the sexton's custodianship of the knowledge of the location of family burial clusters as well as their general responsibilities for the layout of the church-yard represents yet another way in which the individual identity of the deceased was tied very closely to the wider parish itself. Knowledge of burials, even the names associated with the individual plots or clusters, actually assured the continuation of the community membership of the deceased beyond maybe even the existence of family in the locality. In acting as the constant bearer of this knowledge the parish, through its officers, actually held in trust the historical proof (and validity) of existence of individuals in its hands. But even as grave-markers increased in use there were circumstances when this parish-knowledge was far from redundant. For example, in Derbyshire, towards the end of the nineteenth century it was still customary for church-yard memorials to be no more than "...free stone...eighteen

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<sup>461</sup> North Yorkshire Record Office, PR/AYG 7/34.

<sup>462</sup> Rugg, J. (2013) 'Constructing the grave: competing burial ideals in nineteenth-century England,' *Social History* 38, No. 3 (August), p. 337.

<sup>463</sup> Ibid.

inches in height...[bearing] no more information that the initials of the deceased and the year of death.”<sup>464</sup> In other areas where supplies of stone were not easily procured it was usual to find memorials made of wooden boards well into the nineteenth century. In both instances, the use of the marker as the means to immortalise the memory of the deceased was time-limited. The ability to reliably identify a family member from just their initials was likely to be confined to one, maybe two generations only. And wood and stone soon fell prey to the elements unless constantly treated. For the parish however, there was a greater sense of responsibility in the preservation of such details beyond the life-span of relatives or the erosion of materials. But even in examples where descriptions of the deceased extended to full names on grave-markers or intramural cartouches/slabs, familial or communal memory of the individual was not necessarily guaranteed should the family move away, or the lineage die out. Prior to 1836, the preservation of such information could prove vital in establishing an evidence base in cases of genealogical or inheritance dispute. This factor, by such admission, recognised a fundamental link between the parish and the identity (real and historical) of the individual even beyond the grave.

### ***Grave-Marking, Romanticism and Inadequate Capacity***

From the latter part of the eighteenth century a number of interrelated developments resulting in the Church facing growing challenges as it struggled to fulfil the expectations of increasingly large numbers within the parish community, not least as a result of growing local populations. The effect of this pressure was the forcible shifting of the burial ground from being a place of an implicit (banal) communalism into an area of contested space in which the explicit (positive) assertion of identity became

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<sup>464</sup> Houlbrooke, R. (1998) *Death, Religion and the Family in England, 1480-1750* (Oxford, Clarendon Press), p. 363.

the dominant requirement for use. Probably the most visible point of focus for this shift was the rise in popularity of grave-marking; a practice which had direct implications for the churchyard as the place and space for burial. Starting with place again, it should be noted that increasing prosperity from the early eighteenth century, driven by an expanding commercialism and an advancing agricultural sector, brought about a desire on the part of the newly monied to use their wealth as a medium through which to purchase the trappings required to conform to a construction of status as defined by a traditional landed elite, but, at the same time, to begin the process of redefining this concept in increasingly non-aristocratic terms. By and large this was exhibited by a new material culture in which conspicuous consumption became synonymous with one's ability and success in the field of business, and in life more generally. Grave-marking became one of those ways in which these 'middling ranks' sought to manifest their (sometimes precarious) confidence in their own status and respectability. In an example from eighteenth century Berkshire, we can see this process at work. Samuel Collier of Reading was a former bargemaster, in 1740 he made a request that a 'monument with iron rails' be set up in Swallowfield church-yard in memory of him and his wife. The design of this monument was to be "...made after the manner and as good as that placed up in St. Giles Churchyard in the memory of Mr William Greenway."<sup>465</sup> St. Giles was an urban parish where such newer, more fashionable styles of grave-marking had likely been adopted earlier by the developing commercial classes than in the more rural community of Swallowfield.<sup>466</sup> The adoption of more durable and elaborate forms of grave-marking – in particular the use of stone monuments – and the population of the churchyard with such markers presented two

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<sup>465</sup> Milner, G. (1846) *On Cemetery Burial: or Sepulchres Ancient and Modern* (Hull).

<sup>466</sup> Ibid.

immediate and very visible commentaries on the churchyard as the place of burial. Firstly, it served to intensify the pre-existing associations between the parish community and the churchyard as the most appropriate place to ensure the decent internment of the dead. Secondly, the communal place of burial became more demonstrably divided between the individuals interred there. The notion of the place being one of communality was steadily undermined through the visible appearance of individual markers as silent assertions of positive individual identity. To be buried as part of the communality was no longer sufficient surety of an individual's real historical existence. Greater efforts had to be made to pull out that person from the community, rather than to be situated within that community.

It is possible to locate this changing conception of self, in part at least, through the burgeoning influence of Romanticism; a cultural development which flourished from the late eighteenth century, continuing well into the nineteenth century. As a movement, Romanticism sought "...the positive artistic and intellectual assertion of the extremes in the human psyche, the areas of experience beyond logic and reason which could be expressed in a direct and heartfelt way."<sup>467</sup> It placed great faith in the emotional and moral authenticity of the individual in contrast to the cold philosophical pursuit of universal truths. The stress placed on the subjective experience of 'self' combined with the celebration of sentiment initiated a period in which love, and human relationships, became more openly celebrated. Of particular note was the "...move towards smaller, nuclear families, ideally characterised by openly affectionate relationships between husband and wife, and between parents and children."<sup>468</sup> Similarly, attitudes to death saw a move away from concerns about the death of the

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<sup>467</sup> Heath, D. & Boreman, J. (1999) *Introducing Romanticism* (Cambridge, Icon Books), p. 5.

<sup>468</sup> Stone, L. (1979) *The Family, Sex and Marriage in England, 1500-1800* (London, Penguin).

self, and a consequent shift towards the emotional impact on those still left behind.<sup>469</sup> The proper attention to burial was no longer for the benefit of the dead, but represented an opportunity for the public display of the deep and intense emotional connection between the dead and those they left behind. As such, the erection of grave-markers became a way of "...showing how much an individual has meant to you and showing that to the rest of the community...it enables you to go on making gestures of grief such as visiting the beloved remains, laying flowers and being able to indulge in meditation and prayer."<sup>470</sup> One historian at least has gone so far as to argue that it was the impact of this movement on social attitudes which really sat behind the rise in the popularity of grave-marking, relegating the narrative of social-economic emulation to the status of 'doubtful.'<sup>471</sup> However, given that Romanticism was a socio-cultural movement largely fostered through the medium of literature; particularly novel reading, it is difficult to apply this argument beyond the rising middle-classes. For poorer groups, who were not habitually consumers of Romantic literature (at least not until the mid-nineteenth century), social emulation remained the primary driver.

In his 1983 article 'Bodies, Death and Pauper Funerals'<sup>472</sup> the American historian Thomas Laqueur stated that "...if the Victorian working class saved for anything, it saved for death."<sup>473</sup> From at least the second half of the eighteenth century the working poor made concerted efforts to ensure that there existed an adequate provision of funds for a respectable burial. As one West Country woman said on being asked why she saved for such a purpose, "What did a poor woman work for, but in the hope she

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<sup>469</sup> Ibid.

<sup>470</sup> Tarlow, S. 'Romancing the Stones: the graveyard boom of the later 18<sup>th</sup> century' cited in Cox, M. (1998) (ed.), *Grave Concerns* (York, Council for British Archaeology), p. 43.

<sup>471</sup> Ibid.

<sup>472</sup> Laqueur, T. (1983) 'Bodies, Death and Pauper Funerals,' *Representations* No. 1 (February).

<sup>473</sup> Ibid, p. 110.

should be put out of the world in a tidy way.”<sup>474</sup> By the final quarter of the nineteenth century upwards of 2.5 million people, mostly men, belonged to a friendly society.<sup>475</sup> Created on a mutual basis, these organisations provided payments in the event of sickness or serious injury and for burial. Added to this number was of course the spouses of these members to whom burial cover was also extended. A further 650,000 men and women belonged to government registered local burial societies;<sup>476</sup> for example, the Whitechapel based Society for Burials which had been established since the time of Queen Anne.<sup>477</sup> Hundreds of thousands more must have belonged to one of the numerous small, sometimes informal, burial clubs. Others, probably over a million, were part of so-called collections societies. These were commercial ventures which had been established primarily to address the gap in provision for women and children. These societies took their names from the collectors who went door to door, mostly on Saturdays after wages had been paid, to collect the weekly premium of a few pence a head.<sup>478</sup> Evidence of such a widespread commitment to burial provision by the poorer classes suggests that the efforts of the ‘middling’ sorts in redefining status and respect along more consumerist lines had succeeded in filtering down the socio-economic scale. If burial had become a medium for display of earthly success as well as emotional attachment then there existed a powerful incentive among even the poorest to demonstrate, in relative terms at least, that they had been worthy enough in life to merit a decent burial and some physical memorial to their having been in existence. They, like their wealthier fellow parishioners, also wished to positively assert their own individual identity within the context of the communal churchyard.

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<sup>474</sup> Ibid.

<sup>475</sup> Ibid, p. 109.

<sup>476</sup> Ibid.

<sup>477</sup> Litten, J. ‘The English Funeral, 1700-1850,’ cited in Cox, M. (1998) (ed.), *Grave Concerns*, p. 15.

<sup>478</sup> Ibid, p. 110.

If the expansion of the popularity of grave-marking can be regarded as evidence of the permeation of materialist culture into the churchyard as a burial 'place,' the implications of such a change were far more apparent when consideration shifts to the churchyard as a burial 'space.' If the grave-marker acted as means by which an individual could positively assert their identity above that of an implicit (or banal) membership of a parish community, when combined with the impact of Romanticism in encouraging the practice of grave-tending and visiting the notion of formal plot 'ownership' became apparent for the first time. For much of the period before the nineteenth century the use of the churchyard for the internment of bodies had been facilitated by the regular exhumation of bones (these being moved to a charnel house) and the intensified use of space in order to maximise capacity. Sextons, largely working to topographical knowledge inherited from their predecessors, were responsible for the accurate determination of which remains were oldest and therefore the most appropriate to remove in order to open up space for a newer burial. The task was made even more difficult if they had to accommodate a desire for the deceased to be laid to rest close to the pre-existing remains of relatives. True to its status as being in the common ownership of the parish, before the widespread use of grave-marking the churchyard could thus be seen as very much a 'communal burial space' ('God's Acre'). It was a space in which all were interred with only the most nebulous of divisions between individuals, groups or distinctions of wealth; any knowledge of which being vested in the collective memory of the parish via its officers. However, as the demand for the marking of individual (and identifiable) graves increased, this utilitarian model of church-yard management was simply no longer sustainable as certain areas of the church-yard became steadily 'colonised' by this family, or that family, who wished to ensure their relatives (and ultimately themselves) were not only



suitably placed within the confines of the churchyard, but that this space would remain very much 'theirs' in perpetuity; that is to say, they wanted to assurance that their remains would no longer face the threat of removal to the charnel house. Evidence of this can be found in the survey of the churchyards of Gloucestershire undertaken by the antiquarian Ralph Bigland during the latter decades of the eighteenth century. Taking the example of the Morgan family of the Fairford parish, Bigland notes that among the multi-generational cluster of graves (beginning way back in 1632) those members who married into the family, but were from outside of the parish bore inscriptions which sought to definitively establish their link to the parish; and through it their right to be buried there. A case in point, 'Elizabeth, wife of Robert Morgan, Gent. Buried 11<sup>th</sup> June, 1688. She was daughter and heiress of Richard Holford, Gent.'<sup>479</sup> The Holfords came from Taynton parish; on the other side of the county. The inclusion of this information may have become necessary as competition for space among the local families began to increase. There was now a need to further justify the use of space by particular stakeholders against those with competing claims. In this sense, grave-markers not only became a positive assertion of one's individual identity, it also became a subtle declaration of private control over a piece of ground which was supposed to be in the common possession of the parish. In effect, this practice introduced a steadily escalating process of competitive acquisition of parish resources by private interests.

The escalation of such a trend was further compounded throughout this period through the rapid expansion of the population more broadly, and the urbanisation of society in specific areas. Although population growth had been a feature of British society for

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<sup>479</sup> Bigland, R. *Historical, Monumental, and Genealogical Collections relative to the County of Gloucester*, p. 30.

several hundred years before the middle of the eighteenth century, the growth accelerated from around 1760 and lasted until around 1870 during which time the towns and cities around the country expanded significantly. Between 1741 and 1801, the population of England and Wales rose from 6 million to 8.9 million and during the next 50 years would more than double again to 17.9 million.<sup>480</sup> At the time of the first national census, less than a quarter of the population lived in conurbations of more than 5000 souls. Just 50 years later, this proportion had increased to 54%.<sup>481</sup> Inevitably, with more people came more death; and whatever the cause of their demise, these bodies required disposal. In the period 1760-1764, the number of deaths in England was recorded as being around 885,000. By the end of the eighteenth century the number of deaths across a five-year period totalled well over a million, and by 1845-49, this number had reached 1.9 million.<sup>482</sup> For the parish officers charged with finding burial spaces within often ancient parish churchyards (some had been in constant use since the eighth-century) the task became almost impossible. The existing infrastructure, sometimes already creaking, was now overwhelmed in many places. This situation was no more aptly demonstrated than in the great metropolis itself. From as early as the sixteenth century a number of London parishes had been obliged to acquire new ground around their existing churchyards, or the creation of satellite grave-yards; especially on the edge of the City and out in the suburbs.<sup>483</sup> However, even in an expanded churchyard, further expedients were necessary in order to meet demand. Sextons were obliged to pack as many bodies as possible into the available ground. Evidence from parish registers records that some graves would often contain multiple bodies stacked on top of one another. In other

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<sup>480</sup> Jupp and Gittings, *Death in England*, p. 216.

<sup>481</sup> *Ibid.*

<sup>482</sup> Wrigley and Schofield, *The Population History of England*, pp. 332-335.

<sup>483</sup> Houlbrooke, *Death, Religion and the Family in England*, p. 334.

areas, deep shafts were dug underneath the church itself allowing for the creation of new, multi-layered vaults. But London was not alone in this. It is arguable that the industrialising cities of the North actually faced an even more acute problem. For example, Sheffield's population increased from 46,000 to 92,000 between 1801 and 1831. A similar rate of increase could be charted in places like Birmingham, Leeds and Leicester; with the likes of Manchester recording a 150% increase during the same period. At Radford, a town near Nottingham, it was reported that 2,292 corpses had been buried in the one-acre plot of parish burial ground between 1830-1842.<sup>484</sup>

### ***Paupers, Sectarians and Contested Space***

The result of the increasing commodification of burial practices combined with the rapidly rising, and urbanising, population was essentially twofold. Most demonstrably, it represented a direct attack on the traditional notion of the churchyard as a space held in common by the community, and one in which there was to be equality of access to all in death. The parish churchyard had become a contested space in which certain groups were to become progressively excluded. Let us start with the parish poor. "Nothing," remarked the writer Charles Lamb in 1811 tended "...to keep up in the imaginations of the poorer sort of people, a generous horror of the workhouse more than the manner in which pauper funerals were conducted."<sup>485</sup> For the noted reformer the Earl of Shaftesbury, it was the sight of "...drunken bearers unsteadily conveying a pauper to his grave that pierced his sensibilities and converted him to a life of reform."<sup>486</sup> The power of the pauper funeral could be demonstrated by the lengths many would go to avoid it. One witness to a Parliamentary inquiry explained that, "The poor would deprive themselves of the necessities of life for the sake of paying respect

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<sup>484</sup> Knight, *The Nineteenth Century*, p.103.

<sup>485</sup> Laqueur, 'Bodies, Death and Pauper Funerals,' p. 109.

<sup>486</sup> *Ibid*, p. 110.

to the bodies of their departed friends.”<sup>487</sup> Such a fearful response to the possibility of ‘being put away by the parish’ can be seen as the last desperate efforts of the isolated and marginalised within the community to the claim, or perhaps reclaim, a sense of agency over their own bodies and identities within the parish. In the period before the eighteenth century, burial practices worked to an implicit assumption of one’s membership of and identity with the parish. It was the right of all resident parishioners to claim a place and space within the parish churchyard. The possession of this right was, to a significant extent at least, unrelated to the wealth or status of that individual within the parish. To be ‘of the parish’ was qualifying criteria in and of itself. The ritual and act of burial was therefore very much a ritual of inclusion.<sup>488</sup> However, the concurrent rise in materialism, Romanticism and population brought with them the distinctly exclusionary activity of grave-owning; or the privatisation of a community asset. But it is important to note that the de-communalisation of the parish church-yard was not affected through the speculative acquisition on the part of the some outside actor, rather this privatisation came from within the parish itself. This was the positive assertion of an individual identity within the parish, but at the expense (conscious or unconscious) of the wider parish itself. In this sense, the parish remained the place for the validation of identity and status, but the notion of ‘status’ became ever more associated with that of material wealth. This gradual shift in meaning served to crowd out the poor through the steadily rising competitive demand for grave-space. The exercise of one’s traditional parochial right to burial in the churchyard now came hard up against the reality of an ever-decreasing availability of space. The result was a diminution of service. For example, from this period some London parishes were

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<sup>487</sup> Ibid.

<sup>488</sup> Ibid, p. 112.

obliged to move away from single coffin burials and move towards the use of large pits in which the coffins (or bodies) would simply be stacked up and covered.<sup>489</sup> But with the diminution of service came the reduction in one's community status. The sole reliance on 'parish right' came to mark out those who had somehow surrendered their independent agency to obtain what they desired in favour of being content with only what was given. In short, it became a mark of social failure. Paradoxically, to assert your 'right' was to recognise your inability to effect it.



(Fig. 9.) *Pauper Funeral*,  
Unattributed.

The pauper funeral thus came to be seen as the ultimate mark of one's failure in this life. But more than that, it became the very visible demonstration of how status, and to a degree identity, had been recalibrated to reflect the new materialist culture. The poor moved from being those who were an ever-present, but integral, part of every parish society; and for

whom there existed a duty on the part of that parish community to offer charity, to being a group who were steadily set apart from the community through their apparent refusal to contribute to the wellbeing of the whole. They were no longer a part of the community, but rather were a possession of it; to be treated as that community saw fit. This recalibration of poverty reached its apogee in the passage of the Poor Law Amendment Act of 1834. The broad details of this legislation have been discussed elsewhere in this thesis, but it is worth examining here the specific impact of this law on pauper burials. The enshrining of the less eligibility principle, combined with a strong emphasis on economy, gave licence to many (now select) vestries to do away

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<sup>489</sup> Houlbrooke, *Death, Religion and the Family in England*, p. 334.

with the popular customary (and inclusionary) practices associated with pauper burials which had been apparent in many areas. For example, in 1775 an anonymous deaf-mute woman who died while in the custody of the Oxfordshire Bridewell was buried with a full complement of bearers, a cart to the churchyard, and a small party of beer, bread and cheese for those who laid her out and those who had carried her to the grave, as well as a peal of bells at the church.<sup>490</sup> Similarly, in the industrial town of St. Helens in 1795 the overseers were prepared to contribute seven shillings to drink and other niceties at the funerals of the poor.<sup>491</sup> Such a willingness to ensure that even the poorest within the parish society were afforded the modest trappings of a decent burial spoke directly to a parish identity which was both implicit (banal) and inclusive; communal in the fullest sense of the word. However, with the introduction of the New Poor Law even the meanest of frivolities were stripped away in the name of economy. Such changes tended to come about in the cities first. In London after 1834 it was often the case that the part of the burial service carried out inside the church was omitted for those who had died in the workhouse. It was also common in London, and elsewhere, for a number of pauper burials to be combined "...thus giving the poor no choice as to when their relatives or friends were to be buried and creating through display of identical unmarked parish coffins a striking image of anonymity and worthlessness."<sup>492</sup> In the parish of St. John's Wood, the practice of paying three pennies to an old woman to follow a pauper funerals to the grave, and thereby add to the dignity of the burial was brought swiftly to an end after 1834. This change in approach became symbolic of the breaking down of the traditional corporate commitment to the maintenance of personal autonomy and dignity (communalism) to

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<sup>490</sup> Laqueur, 'Bodies, Death and Pauper Funerals,' p. 120.

<sup>491</sup> Ibid, p. 122.

<sup>492</sup> Ibid.

be replaced with an administrative process in which the entitlement to belonging and even a name was one that became based on socio-economic status alone.

If a more competitive acquisition of burial space placed barriers in the way of poorer parishioners exercising their legal and historical right to access the place of the churchyard, such barriers did not explicitly deny them their rights. In theory at least, the poor could still claim membership of, and identity with, the parish; even if this particular aspect of parish life was increasingly difficult to secure in the idealised form. However, for those who were not regular or historical adherents to the Church of England, the increasing competition for space could in many places act as a powerful pretext for the more positive (or explicit) delineation of the boundaries of parish membership. This set up a point of dispute which would ultimately serve to force apart the banal (or implicit) synonymy between religious practice and legal rights so fundamental to the legitimacy of the Anglican Church; both as an institution, and as the source of identity.

Canon Law gave clear direction on the matter of parish burial. All those who had been baptised in the proper form were eligible to receive both the burial service and internment within consecrated ground, i.e the parish churchyard. However, by this same direction, the law placed an obligation on the clergy to deny such burial rights if the reality of the baptism was in any way in doubt. Now such a distinction was relatively simple and uncontested in a religious environment in which there were Christians (as confirmed by baptism) and there were non-Christians (defined simply as those who had not been baptised), but became markedly less straightforward in an environment where there were competing versions of Christianity, all of whom offered the opportunity of baptism. If the qualifying criteria for the recognition of full membership of the parish community was determined by the act of baptism alone, upon what

grounds could the Anglican Church refuse to recognise the membership (and accompanying rights) of those baptised by another expression of Christianity? The question now moved into the arena of theological legitimacy and valid baptism. It was in such instances that the Church took on the very public role of determining the legal reality of a person's membership of a parish community.

Disputes of this nature took broadly two forms which could be loosely termed moral and spiritual. In the case of the former, evidence of baptism was considered by some not to be qualifying criteria alone but rather to be weighed against the particular moral character of the individual deceased or their family member. The point of conflict here usually related to the personal characteristics and attitudes of the officiating clergyman. For example, the Revd Thomas Bliss of Haworth (near Bradford) declared that he was "...perfectly willing to read the service for the dead at the grave of a parishioner's child but he refused to allow the body into the church prior to the burial."<sup>493</sup> Ostensibly, the reason for the refusal was that the infant had died of smallpox and Bliss believed that the law supported him in refusing to allow such a potential contagion into the church; this had been his policy for all "...who had died of this dread disease."<sup>494</sup> However, in a letter to his bishop, Bliss implies that his decision may have had more to do with the fact that the deceased child's father had "...long been and now is excommunicated for the sin of fornication and who is suspected of divers thefts in the parish."<sup>495</sup> Bliss had chosen to use the issue of the death of a child to make a very clear statement to his flock; that sin carried a very real penalty.

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<sup>493</sup> Garnett, J. and Matthew, C. (1993) (eds.), *Revival and Religion Since 1700* (London, The Hambledon Press, London), p. 193.

<sup>494</sup> Ibid.

<sup>495</sup> Ibid.



But even for those with greater charitableness of spirit and a willingness to understand the conscientious adherence to another expression of faith this could be a difficult decision. As in all such decisions, it is those borderline cases which form the key areas of dispute. This brings us to the more widespread area of contest, that of the spiritual. The key point of issue here was in the use of the phrase 'in the proper form' within the Canon Law direction on burial. Understandably, the majority of Anglican clergy interpreted this phrase to mean baptism by 'acknowledged, legal and established clergy'<sup>496</sup> as being the only true and proper form. However, this hegemonic position could actually be rather more nuanced when applied in the parishes. For example, in 1770, the Vicar of Marshfields (near Newport, Glamorganshire) refused to bury the child of a parishioner on the grounds that it had not been "...baptised by any regular Dissenting Minister [if this had been the case] he would bury it, but he did not look upon the Gentleman who christened it as such, he not having been Ordained by any Regular Dissenting Minister only by one who was a Mason, and therefore desired they would bury the Child in their own Ground which they refused."<sup>497</sup> Then again in 1829, at Eatington, Warwickshire, the incumbent refused the burial of a young married man from the parish on the grounds that he had not been baptised. This assertion was challenged by the Dissenters on the grounds that the individual, named Cakebread, had in fact been baptised by full immersion as an adult; again irregular, but valid. This argument was rejected by the incumbent who argued that his evidence pointed to a dedication, not a baptism. Despite pressure from the Bishop of Worcester to give way on the matter, the incumbent continued to resist. He claimed that he was never positively told of the baptism and therefore "...should feel it equally my duty to use the

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<sup>496</sup> Ibid, p, 194.

<sup>497</sup> Manning, B. (1952) *The Protestant Dissenting Deputies* (Cambridge, Cambridge University Press), p. 289.

funeral service for anyone dying in my parish who had been baptised, whether by immersion or sprinkling, whether by a Dissenting minister or by a minister of the Church, but not for any who die unbaptised.”<sup>498</sup> Similarly, in 1840, the family of the deceased infant Jane Rumbold, child of an Independent in Bassingbourne, Cambridgeshire, sought burial in the parish churchyard and the tolling of the bells. The local incumbent, the Revd William Herbert Chapman, had buried some of the other Rumbold children previously, but he chose to refuse his services to the family on this occasion. He told the father: ‘There is the churchyard, and you may deposit the body if you please, but I shall not read the service over it.’<sup>499</sup> Although acknowledging that the child had been baptised in the name of the Trinity by an Independent minister, the Rev. Mr Moase; he argued that the baptism was in an invalid form. This case would rumble on for the best part of eighteenth months during which time the body of the dead infant lay in a double coffin at the father’s home. For the clergy in these examples there is a tacit recognition that the Anglican monopoly on the discharge of the right of baptism could, in some circumstances, be challenged providing the form of the ceremony was one recognised in the Rubric. Such an acknowledgement recognised the Canon Law stipulation which permitted private, or lay, baptism as valid; although irregular and not to be encouraged. But at the same time as conceding this point, there is also an effort on the part of the parochial clergy to assert the right to determine what was, and what was not considered to be a legally recognised deviation from the Anglican norm. This was Anglican hegemony, but one expressed in the more banal form of regulating agency, rather than as one of the positive assertions of comprehensive control.

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<sup>498</sup> Ibid, p. 288.

<sup>499</sup> Ibid, p. 299.

The most high-profile legal case on this matter to take place during this period, *Wickes vs. Kemp*, serves to bear out this analysis. In 1808, the Rev. John Green, an Independent minister of Rutland, sought the advice of the Dissenting Deputies on how to respond to the refusal of the Revd John Wight Wickes, Rector of Wardley-cum-Belton and Chaplain to the Duke of Cumberland,<sup>500</sup> to lay to rest the infant child of John and Hannah Swingler; both of the parish. In response, the Deputies made representations directly to Wickes, and when this failed, to the Bishop of Peterborough. In their correspondence with the prelate, they enclosed a copy of the legal opinion of Judge Advocate Sir William Scott (elder brother to the Lord Chancellor, Lord Eldon) who had been asked to provide advice on a similar case that arose at Woolston, near Coventry, some ten years previously. In this case, a child baptised by a Dissenting minister had been refused burial by the curate of the parish. He had told the father that; "I will bury no Dissenter. I will only bury Roman Catholics and Churchmen."<sup>501</sup> The Deputies asked Sir William to give his opinion as to whether this curate had acted unlawfully in refusing to discharge this duty on the grounds so outlined. However, before he agreed to offer an opinion, Scott asked the following question:

Is there any form of baptism generally received among Protestant Dissenters? Some bodies of them (as Quakers) do not baptise at all and hold baptism to be unlawful and anti-Christian. I presume that there may be other Bodies of Dissenters who do not generally practise it. Among those who do practise it, is there any form so general as to be a proper subject of a general question?<sup>502</sup>

In reply to this, Scott received the following statement:

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<sup>500</sup> Ibid, p. 293.

<sup>501</sup> Ibid, p. 291.

<sup>502</sup> Ibid.

The Dissenters in general (except Socinians) who insist upon Infant Baptism have a form of baptism generally received amongst themselves and it is as follows and was used in the present case:

The infant (if health admits), is brought to the Chapel, if not the Minister attend at the Father's house – an extempore prayer suited to the occasion is first used and the Minister then sprinkles the water and says: 'A. I baptise thee in the name of the Father, of the Son, and of the Holy Ghost.' The ceremony of the Cross is omitted and the Father and Mother attend instead of Godfathers and Godmothers and are charged and instructed by the Minister as to their duty to their Child.

In the present case the Dissenters...hold baptism essential and the only ground of their dissent for the established church is their dislike to some of its ceremonies. They are firm Believers in all the doctrinal points contained in the thirty-nine articles and their catechism defines Baptism to be 'A Sacrament wherein the washing with water in the name of the Father and of the Son and of the Holy Ghost doth signify and seal etc.'<sup>503</sup>

Satisfied with this answer, Sir William Scott gave his opinion in the following terms:

I am of opinion, that if reasonable proof was offered to the clergyman complained of that the child had been baptised in the manner described in the answer to the question proposed by me, he acted illegally and improperly in refusing to bury it...The ground upon which I hold the refusal of the curate unjustifiable is, that the child was not unbaptised, in the sense and intention of the compilers of our Litany and Rubric; what that sense and intention was, is very much a matter of fact and history.<sup>504</sup>

Scott's reference to historical justification underpinning his conclusion pointed to works of such Anglican authorities as Hooker, Fleetwood, Burnet, Watson and Bishop Warburton. Despite the authoritative legal ruling, and the solicitations of his bishop, Wickes refused to budge on the matter. As a result, the bishop advised the Deputies

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<sup>503</sup> Ibid, p. 292.

<sup>504</sup> Ibid.

of his support for their legal right and urged them to press a suit against Wickes; not wishing to have anything further to do with the case. Confident in his own position, Wickes prepared to go on the offensive. Wickes set out his position in a pamphlet. Despite the vituperative tone of the argument, it follows the same line in which it is not the principle of baptism outside of the Church, but rather the questioning of the qualification of those undertaking the task. Wickes wrote:

John Swingler is a labourer of Belton, well versed in the manual used of the spade, and not unacquainted with the properties of the soil. He had long been in the habit of keeping a private conventicle, or subscription pic-nic of theology, in his own cottage; occasionally illuminating the dear circle of his brother labourers, and spreading the light over this dark part of the kingdom, sometime developing his own mystical lucubrations upon the new birth; and at other times stretching out his itching ears to the bagpipe melody of Huntingdonian stanzas.

Mr William Kemp opened a second shop of sanctity, gratuitously, in opposition to the pic-nic subscription house of Johnny Swingler. The chances were in favour of the former Males that had transgressed, and those that wished to transgress, mixed in rapturous accord with females that had sinned, and females that wished to sin.<sup>505</sup>

Wickes declared that he was not in the business of denying Dissenters their civil rights, but stated that he "...knew no injunction, statutable or canonical, which compelled a clergyman to read the burial service over those who had had no previous admission by Church baptism legally performed."<sup>506</sup> Now among many groups of Dissenters this latter concern for legality could be theoretically met through an appeal to the validity of lay baptism; an argument of which Wickes was not ignorant. However, for Wickes, the emergence of types of meeting houses set up by men like Swingler and Kemp were not comparable to those of the past. These represented a newer, more insurgent

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<sup>505</sup> Ibid, p. 294.

<sup>506</sup> Ibid.

form of Dissent (reference is made to the Huntingdonians) whose opposition to the Establishment went beyond mere disagreements over form and structure, but rather “...threatened its total subversion.”<sup>507</sup> Wickes genuinely feared for the continuing ascendancy of the Church if the approach was to be a continued effort of accommodation and concession with such apparently radical groups. In this he was surely not alone. He wrote; “If the bishops have urged their clergy to comply with the wishes of dissenters...it must be from tenderness of disposition-but may not amiableness of mind descend into weakness, and ultimately produce danger?”<sup>508</sup> He asserted that; “I cannot suffer the Establishment to be progressively encroached upon in silence....If the legislature concede them a further extension of rights in allowing full force to their congregational baptisms and immersions the established church would lose another of its props.”<sup>509</sup> Dissent had ceased to be banal, it was now (or maybe once again) an active competitor which sought to positively challenge the hold of the Church in the parishes. In order to preserve the strength and influence of the Church it too had to move from the banal administrator to that of the Church militant.

The once casual, almost ambiguous, synonymity between religious practice and legal rights was coming under increasing strain in many places as the combined effects of population growth, agricultural and industrial development (leading to rural depopulation, pauperisation and urbanisation) and inadequate parish infrastructure; including church-yard capacity, served to intensify the competition for diminishing parish resources. Into this already contested space came the growth of more radical expressions of Dissent (a development spurred on in part by the many socio-economic changes taking hold from the mid-eighteenth century) which in some places served to

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<sup>507</sup> Ibid.

<sup>508</sup> Ibid, pp. 294-295.

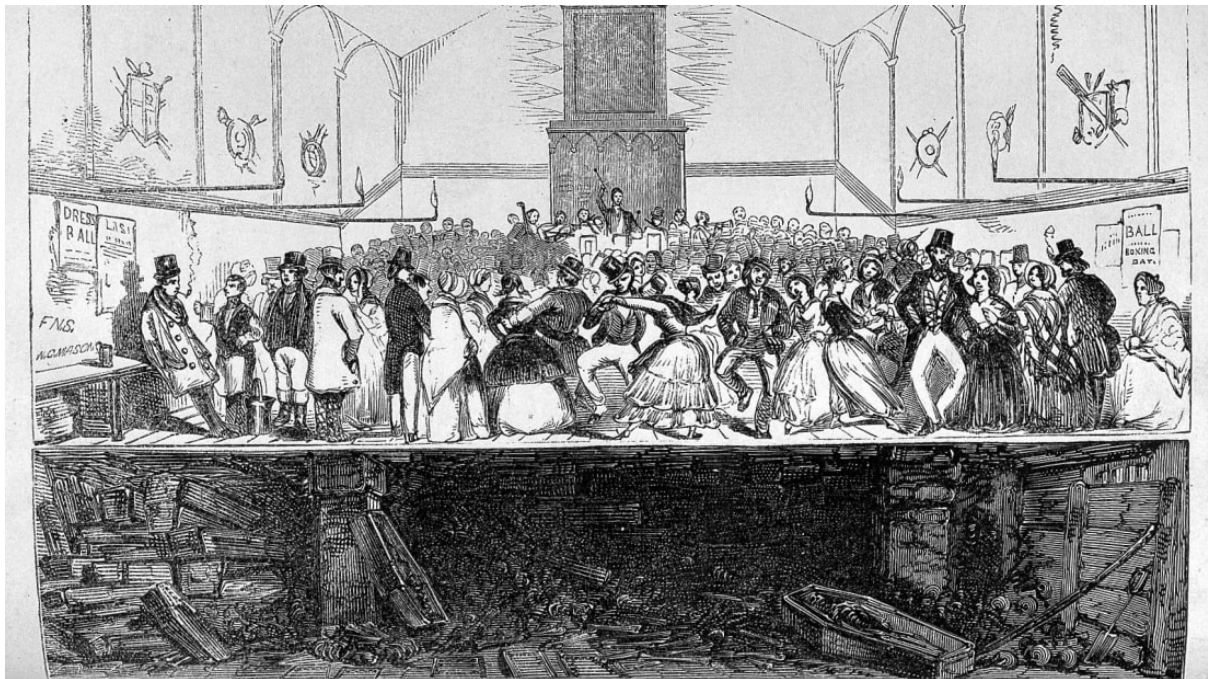
<sup>509</sup> Ibid, p. 295.

reignite many dormant fears about the purpose and intention of this Nonconformity and the ability of the Anglican confessional state to accommodate such deviancy. This in turn encouraged the more rigorous application of the confessional test with the resultant impact that once assumed legal rights became themselves far more subject to discriminating qualification.

### ***The Rise of the Private Cemetery***

Whether through inadequate capacity to meet demand or through a more hard-line approach to accommodation of non-conformity within the parish churchyard, the ultimate failure of the Church to meet the rising demand actually forced those very same commercial forces then at work in society to respond with a solution which removed responsibility and control of burial (the internment part at least) firmly outside of the purview of the Church, and the community in which it sat. What emerged was the private cemetery company. The first of these vehicles had emerged during the early 1820s from within provincial Nonconformity, designed expressly as a means of avoiding the need to engage in protracted dispute with the Anglican parish authorities. Financed through the sale of shares, these companies proved to be very successful within the Dissenting community. By the 1830s these enterprises had caught the attention of speculators more generally. Up until this point, tolerance of the deteriorating conditions within parish churchyards had been remarkably high. However, with the publication in 1839 of *Gatherings from Graveyards*, Dr. George Alfred Walker's vivid exposé of the situation in many London parish churchyards, public opinion began to shift. The parishes demanded action to address the horrors of overcrowded and insalubrious burial grounds, but with the Church authorities seemingly either unwilling, or unable, to really get a grip on this issue into the breach stepped the speculators. New, attractively landscaped and well-ordered cemeteries

were opened; for example, at Highgate, Nunhead and West Norwood. These offered families a secure, hygienic, affordable and most importantly an exclusive plot in which their loved ones could be interred and properly marked. These were places open to all, with space enough for all; whether Anglican, Dissenter or otherwise. But they were also burial grounds entirely separate from the parish community. Custodianship, care and also memorialisation of the dead was no longer a responsibility of the parish community. This duty now fell to the deceased's family, friends or personal networks. Positive (and privatised) engagement with the dead had now taken the place of the banal obligation of the parish.



(Fig. 10.) A drawing of dancing at Enon Chapel from George Walker's "Lectures on the metropolitan grave-yards"

Courtesy of the Wellcome Collection

In a similar way, it had the effect of recalibrating the relationship between parish, clergyman and parishioners. The place and space narrative that has been explored above points to the strong association of parish identity with the actual physical structure of the church (and graveyard) as much as with its particular functions. The



individual identity of the officiating clergyman was rendered almost irrelevant to that of the church; both as institution and as physically manifest in communities. It was the church, rather than a particular clergyman, that had a duty to serve the needs of the parish. However, in choosing to bury outside of the parish, and therefore outside of the physical and institutional boundaries of the church, the role and competency of the individual clergyman now became far more significant in ensuring the propriety of burial. As a consequence, relatives now had the freedom to choose an officiant on the basis of service record rather than parish attachment alone. The burial service itself, like the location of the grave, now became subject to the laws of supply and demand. Like other 'professionals,' the specific functions of the clergy had now been rendered transactional. Duty had given way to service provision. The charge to serve all was steadily giving way to the servicing a customer group or client base.

### ***Clerical Incumbency***

This relational shift towards a more transactional dynamic was given further impetus with the decision by the Church to try to better regulate and restrict the practice of clerical non-residence and plurality. To a significant extent, the Anglican Church could be considered to have been a largely passive, or at most a secondary participant, in the process of de-banalification of the rites of baptism and burial in as much as the process was not initiated or aided by a deliberate policy decision on the part of the national church leadership; quite the opposite in fact. Where the actions of the church can be shown to have had directly contributed to this process, as in the case of burial disputes, the motivation and initiative are attributable to the particular attitudes and character of an individual parish minister rather than at the direction of any clerical superior. Indeed, in the case of burial disputes, it was the institutional church (in the form of the bishops) which was all too ready to ally with the plaintiff to challenge the

more discriminating attitudes of the local church in favour of a more distinctly banal (and inclusive) interpretation of doctrine and canonical law. However, in the decision to try to reduce and prevent the holding of multiple cures; a situation known as plurality, responsibility laid squarely at the door of the national church leadership (exercised through the Ecclesiastical Commission). This effort to try to boost the visible and regular attendance of ministers to the work of their parishes was conceived as a response to challenges both political and religious to the church's alleged neglect of its primary, and exclusive, duty to the nation; namely the provision of Christian ministry to all people. In promoting this reform however, it is necessary to consider whether the impact was in fact counter-productive in some instances to the reality of banal Anglicanism. In placing a far greater emphasis on the importance of the permanent attachment of ministers to a single cure, the opportunity to advance a more rigorous religious agenda became all the more tempting, and indeed a requirement for many.

Attacking the practice of plurality, the radical leaning weekly publication *The Examiner*<sup>510</sup> stated that;

The merchant, tradesman and the physician find that to live by their business they must devote their whole time to it; and why should the not clergyman do the same? He is not salaried by the state for writing books, or editing magazines, or even of compiling systems of theology, but for preaching, teaching, catechising, visiting the sick and taking the lead in works of charity. So long as there is good to be done in his parish in any of these modes, his duty is not exhausted, and the society that pays him has a just claim to such a portion of his time as active men in other professions devote to the occupations by which they subsist.<sup>511</sup>

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<sup>510</sup> *The Examiner* (1808-1886), for the first fifty years of its existence it established itself as the leading weekly newspaper espousing radical principles. After this point its political allegiance tended to vary with its owner. This led to a rapid decline in readership and the publication ceased to exist in 1886.

<sup>511</sup> *The Examiner* Sunday 29<sup>th</sup> May, 1825, p. 13.

The unfavourable distinction made here between those employed in purely secular professions and those pursuing secular activities at the same time as drawing financial support from apparently neglected parochial duties struck upon an uncomfortable reality for the Church during the latter part of the eighteenth and early nineteenth century. Notwithstanding the reformist political agenda to which this publication was committed, it was undoubtedly the case that for a significant number of the population the regular and resident services of a beneficed clergyman was not that experienced by a great many parishioners in England and Wales during this period. Despite the universities turning out more than adequate numbers of graduates for service in parish ministry during the latter part of the eighteenth century, in 1791 there were just 4412 beneficed clergymen for the more than 10,500 parishes in England and Wales (not including the approximately 780 cathedral offices and numerous chaplaincies).<sup>512</sup> By 1827 the gross number had increased to 6,120, but non-residency continued to remain a reality in more than 50% of parishes.<sup>513</sup> Broadly speaking the causes of non-residency were threefold: economic reality, poor infrastructure and variable motivation.

### ***To Poor to Preach***

Beginning with economic reality, in attempting to boost clerical residence within the parishes, the Church was obliged to confront the situation that at the heart of the problem was a structural imbalance in the distribution of financial resources throughout its organisation. The fact of the matter was that the revenues of the Church, as immense as they were corporately speaking, were simply not meeting the demands for maintaining a meaningful presence in every parish. The returns to the Governors

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<sup>512</sup> Brown, S. J. (2001) *The National Churches of England, Ireland, and Scotland 1801-46* (Oxford, Oxford University Press), p. 4.

<sup>513</sup> Savage, A. (1964) *The Parsonage in England* (London, SPCK), p. 80.

of Queen Anne's Bounty<sup>514</sup> (itself set up as a mechanism by which to better allocate the financial resources of the Church to supplement very poor livings) in 1711 bears out the extent of the disparity between livings. Out of a total of 11,164 benefices in England and Wales, it was recorded that some 7,000 were worth less than £80 per annum (a sum considered to be 'adequate' for the time). But out of these 7,000 only 1,000 were valued at or above this amount, the remainder being worth just £50. Out of these approximately 1,000 were valued at less than £20 per annum.<sup>515</sup> Although the impact of agricultural advances had the effect of raising the value of a number of livings, with the 1811 return reporting that those benefices worth £150 per annum and above had now reached 6,000, the inflationary pressures meant that the actual purchasing power of this sum had stagnated at best. This situation was further compounded by legal rulings (in place since the time of the Henrician Reformation) which placed severe restrictions on clerics taking on additional secular employment as a means to boost their income. Nonetheless for some, a near penurious existence forced the seeking of work in open contravention of the law. Wade gives the example of one of the notoriously poor Welsh clergy who supplemented his meagre stipend by setting up an evening school for the children of the parish five nights a week, operating a ferry service across the river and by offering a barbering service on Saturday nights.<sup>516</sup> Farming had long been sanctified as being consistent with the clerical office, and indeed formed the principal outside activity for a great many clergymen. However, in this activity too, legal sanctions restricted the cleric to farming only on a self-sufficiency basis and not for the growing of produce for sale on the open market. Operating in a now largely money-based economy, such restrictions did little to

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<sup>514</sup> Ibid, p. 52.

<sup>515</sup> Ibid.

<sup>516</sup> Ward, W. R. (1972) *Religion and Society in England, 1790-1850* (New York, HarperCollins), p. 107.

ameliorate the economic situation of the clergy. Recognition of the limitations of these labour restrictions did lead to the modest extension of clerical rights during the second decade of the nineteenth century. Under the terms of the 1817 Residence Act the amount of land that an incumbent could farm as a tenant was increased to 80 acres. Then later clerics were able to enter business partnerships; local fire and life insurance companies became fields where clergyman became particular active. Although welcome, it was clear by the 1830s that such reforms had little impact in boosting the sustainability of residency. Such was the continued paucity of ecclesiastical revenues of a good many of the parishes, economic survival required the taking on of more than one benefice with the result that the number of those actually holding parochial office was far below the number actually required to serve the parishes on a full-time basis.

As an aside, significant disparities in clerical income were not confined to parochial ministry alone. Even among the bishoprics the comparable value was significantly varied. For example, the Archbishop of Canterbury and Bishop of Durham enjoyed respectively the princely sums of £18,090 and £19,480 per annum<sup>517</sup> whereas the Bishop of Llandaff was obliged to maintain his position in Wales and to keep a residence in London for regular Parliamentary sessions on the far more modest income of £1,170 per annum.<sup>518</sup> It was for this reason that it was not uncommon for candidates for preferment, even to the episcopal bench, to reject appointments in Wales.

### ***The Homeless Cleric***

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<sup>517</sup> Evans, G. (2021), *Crown, Mitre and People in the Nineteenth Century: The Church of England, Establishment and the State* (Cambridge University Press, Cambridge), p. 8.

<sup>518</sup> Ibid.

The degradation of the Church's parochial infrastructure was apparent in many places, but of most relevance to the issue of non-residency was the inadequacy of clerical housing. The conception of a parsonage house as being both the family home and the hub of pastoral ministry had only come into being from 1604 when King James I formally sanctioned in law the right of clerical marriage. Many of the buildings designated from that time as being for such use were those still being used nearly 200 years later. Most were of a decidedly modest nature, usually cottages of a style little different from those occupied by the ordinary labourers and artisans of the parish. From her series of literary sketches of early nineteenth century rural life the contemporary writer Mary Russell Mitford<sup>519</sup> gave this description of the type of habitation common to the English countryside; "the cottage was...very thoroughly national and characteristic; a low, ruinous hovel, the door of which was fastened with a sedulous attention to security, that contrasted strangely with the tattered thatch of the roof, and the half-broken windows...one long, straggling, unceiled, barn-like room, which served for kitchen, bed-chamber, and hall."<sup>520</sup> Although not commenting on a parsonage house specifically (the cottage described by Mitford was occupied by labourer Tom Cordery, a resident of Three Mile Cross, near Reading), such a description is readily comparable to examples given by clerics themselves during this period. The York archdiocesan visitation to Archbishop Herring<sup>521</sup> in 1743 recorded the condition of the parsonage at Kilburn as "...so very bad it is scarce habitable by

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<sup>519</sup> Mary Russell Mitford (1787-1855) was an English poet, author and playwright. Her most enduring contribution to the literary scene was her *Our Village* series of articles which drew inspiration from her life in Three Mile Cross, in Berkshire.

<sup>520</sup> Mary Russell Mitford cited in Craik, H. (1916) (ed.) *English Prose, Vol. V The Nineteenth Century* (New York, Macmillan), p. 2.

<sup>521</sup> Thomas Herring (1693-1757), an ardent Whig, Herring rose rapidly in the Hanoverian Church. Appointed as Dean of Rochester' 1732, Bishop of Bangor; 1737, Archbishop of York; 1738 and Archbishop of Canterbury; 1747. Herring gained notoriety for taking a lead in mobilising Yorkshire against the Jacobite invasion of 1745. A role for which he received a personal note of thanks from King George II.

the poorest tenant,”<sup>522</sup> at Elkesley, “...[the house] a very mean one,”<sup>523</sup> and at Keyingham “...only a poor mud cottage...built upon ye lord’s waste.”<sup>524</sup> The distinguished Norfolk clergyman the Revd Lancaster Adkin (1740-1807)<sup>525</sup> provided the following response in the Ingworth deanery visitation return (1784) on the question of residency in the parsonage house; he declared that he was obliged to reside in the town of Norwich rather than the small cottage which served as the parsonage it being “...so damp in itself and on the bank of a river that having been once deprived of the use of one arm for three months by the rheumatism which has never been perfectly recovered I can only be there occasionally in the summer.”<sup>526</sup> *The Gentleman’s Magazine* of 1801 published an article touching on the parish of Boothby Pagnall in Lincolnshire which carried an illustration of the church and parsonage house, the text read; “The middle part of the house, which connected the front with the study, is down, and the whole in too bad a state for reparation.”<sup>527</sup> Similarly, reports thirty years later from the parish of Alverston (also Lincolnshire); “...there is no glebe house for a vicar...there is a labourer’s cottage but no apparent vestige of a parsonage house.”<sup>528</sup> And Creaton (Northamptonshire); “[The parsonage being] A very small and very old glebe house, unfit for the incumbent’s residence.”<sup>529</sup> By 1835 the situation was reaching scandalous proportions. Visitation returns in that year revealed that there were some 1,728 parsonages deemed to be ‘unfit’ to live in by the incumbents (although it is important to note that some of these reporting clerics would be seeking

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<sup>522</sup> Friedman, T (2011) *The Eighteenth Century Church in Britain* (London & New Haven, Yale University Press), p. 70.

<sup>523</sup> Ibid.

<sup>524</sup> Ibid.

<sup>525</sup> Adkin held in plurality a total of five ecclesiastical appointments during the course of his career in Norfolk: Vicar of Scottow; 1767-1807, Rector of Belaugh; 1768-1807, Curate of St. Stephen’s, All Saints and Perpetual Curate of St. Andrew’s; 1790-1807.

<sup>526</sup> Norfolk Record Office: DN/VIS 29a/6, Ingworth Deanery Visitation 1784, Belaugh return.

<sup>527</sup> *The Gentleman’s Magazine* 71 (1801), p. 105.

<sup>528</sup> Savage, *The Parsonage in England*, p. 116.

<sup>529</sup> Ibid, p. 80.

to justify their own non-residence through such an excuse) and some 2,878 had no parsonage at all.<sup>530</sup> Confronted with the prospect of having to live in squalid (even by contemporary standards) and unsanitary accommodation within the parish even the most dedicated and conscientious of incumbents would have doubtlessly sought more comfortable arrangements within the parish (for example, boarding at an inn<sup>531</sup>), acquired their own property (financed privately) or moved out of the parish into accommodation that was more appropriate to the needs of the cleric. But the very fact that such options had to be considered by clergy in a significant proportion of parishes pointed to the very real difficulty in promoting residency among the clergy when the defining element of that concept, i.e an actual residence, was itself unavailable in a great many parts of the Church's supposed domain.

### ***Duty Calls, Elsewhere***

If diligent and conscientious clerics were obliged to make their own housing provision for the proper attention to their parochial ministry, for those of more variable commitment to the vocation the lack of adequate housing offered a convenient excuse to remain not only non-resident, but entirely absent from the parish. Now in some instances an absentee incumbent could be explained by their being employed in some other, additional function; as a royal or noble chaplain, as cathedral staff or as university officials. The Holt Deanery Visitation of 1784 (Norfolk) included this report on the incumbent of Brisley; “[the Rector] has been abroad for two or three years past with Lord Bruce,”<sup>532</sup> and Swanton Morley with Worthing “[the Rector being literally on the move as chaplain on board, HMS Britannia.”<sup>533</sup> In this same visitation return Dr

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<sup>530</sup> Ibid, p. 80.

<sup>531</sup> The Revd Thomas Jones, curate and later incumbent of Creaton, lived for forty years in the local inn (1785-1828).

<sup>532</sup> Norfolk Record Office: DN/VIS 29/6 Holt Deanery Visitation 1784.

<sup>533</sup> Ibid.



Charles Poyntz breezily informed the bishop that he could not always be in Norfolk as he served as Prebendary of Durham three months a year, was also Prebendary of Llandaff, might be away seeing friends or on business, and was 'some times in waiting on His Majesty if required.'<sup>534</sup> Such behaviour, whilst not technically legally prohibited,<sup>535</sup> was not actively curtailed by the episcopal leadership; many recognising the importance of maintaining links with the key patronage networks of the nobility and the university colleges for those ambitious men within the Church. However, the justification of outside employment did not account for all those parishes with absentee incumbents. Some simply chose to neglect their duties entirely. The character of the Revd Dr. Vesey Stanhope from Trollope's *Barchester Towers* provides a perfect literary illustration of this type of absentee;

Years had now passed since he had done a day's duty, and yet there was no reason against his doing duty except a want of inclination on his own part. He held a prebendal stall in the diocese, one of the best residences in the close, and the two large rectories of Crabtree Canonicorum and Stoppingum. Indeed, he had the cure of three parishes, for that of Eiderdown was joined to Stoppingum. He had resided in Italy for twelve years. His first going there had been attributed to a sore throat, and that sore throat, though never repeated in any violent manner, had stood him in such stead that it had enabled him to live in easy idleness ever since.<sup>536</sup>

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<sup>534</sup> NRO: DN/VIS 33a/2, Brisley Deanery Visitation, 1794.

<sup>535</sup> Statute 21 Henry VIII. C. 13, 57 George III. C. 99.

<sup>536</sup> Trollope, A. (2015) *Barchester Towers* (London, Vintage Classics), p. 69.

His was a character with whom the parishioners of Hunworth and Stody (Norfolk) would have been only too familiar. The incumbent there, the Revd Greene, was described as being not only absent but "... the place of his residence uncertain, sometimes in England, sometimes in France, and at this time unknown."<sup>537</sup> Similarly, the incumbents of Wiveton and Cley (both in Norfolk) lived respectively at Monmouth and Devizes.<sup>538</sup>



Fig. 11.

For these individuals, incumbency equated to the receipt of a secure income with little if any requirement, or mechanism to compel, the personal discharge of the duties expected of them. This charge was explored in great depth in John Wade's sensationalist (and factually dubious) expose *Extraordinary Black Book*. The then late Henry Majendie (pictured right), Bishop of Bangor (in office 1809-1830) who had held no fewer than eleven parochial preferments concurrently<sup>539</sup> was singled out for particular attention as an extreme example of the use of the Church as a mechanism for self-aggrandizement at the expense of its expressly religious (and legal) obligations.

The term personal is used above deliberately. For while the incumbents themselves remained absent from their parishes, they remained responsible for ensuring that the parish did still have a minimum of religious and pastoral oversight. To do this, non-incumbent clerics, curates, were employed on an often very meagre stipend (paid out of the incumbent's tithe/composition income) to preach and serve the parish to all intents and purposes as the incumbent themselves. This was residency by proxy.

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<sup>537</sup> Norfolk Record Office: DN/VIS 29/6 Holt Deanery Visitation

<sup>538</sup> Ibid, 1813.

<sup>539</sup> Wade, J. (1832) *Extraordinary Black Book* (London), p. 31.



Fig. 12. Anon, *The Pluralist* (1744)

However, like the incumbents they served, many curates were also obliged to take on multiple parishes due to the cripplingly low rates of pay. As late as 1784, 82 Norfolk curates received just £20 per annum or less, and a further 106 were paid up to £30.<sup>540</sup> In another extreme example of plurality from the same county, Thomas Lloyd (c.1745-1814), of North Walsham, held five curacies at the same time: Ashmanhaugh, Beeston St Lawrence, Sco Ruston, Tunstead and Worstead. He was licenced to them all on the same day in 1777.<sup>541</sup> Forced to cover expansive, and not necessarily contiguous, parish communities, often travelling by foot (horses were beyond the purse of many curates) or by cart, many curates were hard pressed to provide even one sermon on Sunday for every community. Like its degrading infrastructure, the Church itself was in many places creaking and fragile, structurally it became reliant on an increasingly overwhelmed and underpaid body of curates to try to plug the gaps in provision caused by non-residency. But this entrenched deficit of labour could only be stretched so far; Hannah More, writing from Somerset at the end of the eighteenth century declared that “We have in this neighbourhood thirteen adjoining parishes without so much as even a resident curate.”<sup>542</sup>

### ***The Parish, not the Man***

How from the perspective of both the Church corporate and the individual clergyman, did this patchy and sometimes irregular ministerial provision at parochial level seriously threaten the position of the Establishment as a key focus of identity?

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<sup>540</sup> Jacob, W. M. ‘Clergy and society in Norfolk, 1707-1806’ (unpublished PhD thesis, University of Exeter, 1982, p. 167.

<sup>541</sup> NRO: DN/VIS 31/2, the repertory of curates.

<sup>542</sup> Roberts, W. (1838) *Memoirs of the Life and Correspondence of Hannah More Vol II* (London, R.B. Seeley and W. Burnside), p. 213.

According to the great reforming Bishop of London, Charles Blomfield (1786-1857),<sup>543</sup> the standard to which he called his parish clergy was actually remarkably low. He declared that, "In 1810 people only looked for decent performance of Divine Service on Sundays;"<sup>544</sup> contrasting this with his experience after 1830 when there arose a greater expectation and demand for preaching and pastoral ministry. This is a position shared in Best's analysis of the rank-and-file clergy during the same period, he wrote; "...by far the greater part of the clergy...were primarily concerned with the political, educational (in the widest sense) and social functions of the Establishment."<sup>545</sup> For the great majority of the clergy, there was a widespread belief that their principal role was confined to the diffusion of good moral behaviour and the imbuing of respect for the law within every community. One historian referred to this role as being akin to that of a civil servant acting on behalf of 'a Ministry of Morality.'<sup>546</sup> In each of these analyses the extent to which the specifically 'religious' function of the clergyman (and the Church more generally) was defined only in the broadest and most banalified terms; often as a passive assumption or adjunct to the more explicit role of community stewardship. And here it is necessary to reflect back upon the nature of the relationship between the parish and the individual clergyman. Although the resident clergyman playing an active role in the everyday life of the parish remained very much the ideal, and indeed the experience of a good number of parishes (whether that be the incumbent or a sustainably remunerated curate), the reality was that in a substantial proportion of the country this was not the usual parish experience of their clergyman. Whether non-

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<sup>543</sup> Hannah More (1745-1833), Bristol-born religious writer, educationalist and philanthropist. Associated with the Bluestocking literary circle and with the Evangelical movement. Famed for her production of the *Cheap Repository Tracts* designed to counter the radical opinions of Thomas Paine.

<sup>544</sup> Brown, C. K. F. (1953) *A History of the English Clergy* (London), p. 147.

<sup>545</sup> Best, G. F. K. 'An appraisal of Establishment,' in *Anglican-Methodist Relations*, ed. Pickering, W. S. F. (1961).

<sup>546</sup> Johnson, M. (2001) *Bustling Intermeddler? The Life and Work of Charles James Blomfield* (Leominster, Gracewing), p. 63.

resident incumbent or over-burdened curate, many in parish ministry were simply too overstretched to deeply embed themselves in any one parish community to the extent to which their office truly demanded. But to attribute the relationship between the parishioner and parson as representing the principal basis upon which an identification with the Anglican Church was nurtured and sustained would be to fail to take into account the centrality of the church building itself as being the 'place of the parish' – the structural representation of an institution at the very centre of life and administration. The Church/church was recognised by the parish as both validating authority and sovereign arm of government (in terms of the majority of popular experience). The role of the minister was as an integral part of this structure. They operated through this 'place,' by which they drew their authority and their influence. This is not to discount that there were those individual clergymen who built up a strong personal relationship among the parishioners for their pastoral ministry or preaching style, but this reputation could be seen as supplementary to the authority of the 'place.' Even for those clergymen operating abroad from their parish, any authority they possessed continued to be derived from their attachment (even nominally) to a 'place.' Hence it was non-residence not absence. In this respect, the Church corporate operated in exactly the manner required by an institution 'by law Established;' it was an institution whose existence remained guaranteed and supported by the law regardless of whether it was 'effective' or 'active' in the parishes. The adherence of the parish population, as defined by attendance at Sunday services, was not considered to be as relevant a factor in this dynamic. Instead, the Church looked too (and perhaps drew strength from) its role as being one that was far more expansive than just the provision of divine service on a Sunday. Non-residence, or irregular

ministerial oversight, alone cannot then be regarded as necessarily leading to a weakening of individual identification as an Anglican.

### ***Sermonising, Vocation and Tolerance***

Counter-intuitively, the lack of a resident incumbent could have actually served to help maintain an identification to the Anglican Church in some locations. If the Anglican Church is conceived as being formed of two parts at parochial level, namely the 'place' and the 'parson,' the role of these two elements could be loosely defined as being 'civil' and 'spiritual' (although there was a great deal of overlap in many circumstances). Using this definition, it is the 'place' element of the Church which can be most associated with the banal, whereas the duty of the parson to provide spiritual and religious direction (whether from the pulpit or in their interaction with the individual or family) requires the punctuation of the banal with the positive assertion of a doctrine. Sermonising is the most obvious example. But even in this, there were forces at work which in general pushed the thrust away from the distinctive and positive and towards only the blandest form of 'Christian' (as opposed to Anglican) homiletics. Before the mid-nineteenth century, it was thought best practice to 'read' a 'good' sermon rather than attempt an original composition.<sup>547</sup> These 'good' sermons were already in print and produced by a handful of distinguished sermonisers. Some of them were senior churchmen while others were among the lowly country clergy (the successful publication of sermons helping to supplement their income). Others, like the generations of the Southcomb family who served the parish of Rose Ash (Devon), passed down collections of hand-written sermons for future use by their successors. Although individual clergyman might risk some minor revisions to the printed/inherited

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<sup>547</sup> Jones, A. (2020) 'Southcombe Sermons,' *Local Historian* 50, No. 3 (July), p. 234.

text, or make deletions and/or additions, the essential messaging and composition remained the 'proven' work of another. In dissuading too much original thinking by the clergy, it could be argued that there was an implicit acknowledgement on the part of the national Church that ensuring the quality and effectiveness of its messaging was not something that should be routinely left to the parochial clergy. This is not necessarily a great surprise given that the clergy were provided with no discrete training on the



art or method of preaching. Most were obliged to learn from experience, or from the resources available on their bookshelves. For example, William Gresley's *Ecclesiastes Anglicanus*, published in 1835 (and running through a number of editions), represented probably one of the most detailed manuals on the art of preaching on offer during this period. Gresley, an enthusiastic Tractarian, acknowledged that to be a truly great preacher the individual was required;

...not only exalted piety and unaffected zeal, but [to be] of clear head, lively imagination, and retentive memory, so as to have the contents of the sacred volume at his command; let him be free of all embarrassment of manner, clear in the arrangement of his matter, and perfectly fluent in his speech.<sup>548</sup>

But he was sensible enough to admit that such qualities were possessed only of preachers who appear "...once an age...a Paul or an Apollos,"<sup>549</sup> he asked "How many

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<sup>548</sup> Gresley, W. (1844) *Ecclesiastes Anglicanus* (New York, D. Appleton & Co), p. 413.

<sup>549</sup> Ibid.

will you find in any church?.”<sup>550</sup> It was for this same reasoning that Gresley, and the Church more widely (even after 1850) did not advocate the regular use of extempore preaching (that undertaken without a script, just notes or possibly only the Scripture reading). To cite Gresley again; “...if he wants fluency of speech, if he hesitates and stammers, and his words and sentiments are doled forth with evident embarrassment; or if he is constantly obliged to refer to his notes...or if he uses over and over again the same expressions”<sup>551</sup> the hearers would be reduced to a state of discomfort and anxiety. This state was hardly conducive to the ready appreciation of the message. Better to have the security provided by a fully worked-up manuscript, soundly based and with an already established record of success (i.e, publication). For those hurried pluralists or harassed curates, needing to move quickly between parishes, the ability to draw out a ready-made sermon (maybe with some additional notes) from their pocket regardless of the parish, or congregation, ensured that they were able to deliver their mandated duty of a Sunday service, without compromising the quality of the message.

The Church’s favoured approach of preaching from printed material might have reassured the leadership that the variable preaching abilities of the parochial clergy could be in some ways mitigated as much as it would have served to provide a degree of relief to the hard-pressed pluralists. However, as a method of delivering an engaging and spiritually challenging message to the hearer experiences would have differed significantly from place to place. In many areas, outside of those sermons which might be written for specific ecclesiastical or seasonal occasions (e.g Christmas, Epiphany or National Observances), the use of printed materials inevitably tended towards the

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<sup>550</sup> Ibid.

<sup>551</sup> Ibid, p. 414.



abstract which might have little or no relevance to the day to day lives and experiences of listeners. Whether by intention or not, the messaging was banalified by its abstraction and disconnect. The principal weekly opportunity for the positive assertion of doctrinal Anglicanism had, in many places, become de-positivised and allowed the Church the perception of being inoffensive and non-divisive. This promoted the widest possible participation.

But a desire to preserve this approach could also be detected in the lack of what is today referred to as 'ministerial discernment and formation' within the Church.<sup>552</sup> Until the middle of the nineteenth century, service in the Church was considered akin to service in the law and in medicine; the three traditional professions, (added to this was military service). Together these formed the bulk of the employment opportunities for those younger scions of good and respectable families, but who had little likelihood of inheritance or adequate means to support their status. For those looking to take up one of these options there was no particular requirement to be motivated, suitable of character nor possess a specific ability (though of course individuals may have exhibited a certain predilection) in order to pursue these roles. Indeed, with the exception of the law and medicine, the standards required to reach an acceptable level of professional competency were remarkably modest. For those looking to take up a career in the Church, it was considered sufficient to have attended no more than a dozen or so divinity lectures (whilst studying at one of the ancient universities)<sup>553</sup> and

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<sup>552</sup> In making this statement there is no implication that individuals were lacking in personal religious belief. This was assumed to be the default position in society at the time and hence there was no requirement to 'prove' one's faith in any explicit sense as a prerequisite to entering the ministry.

<sup>553</sup> The first institution specifically focussed on ministerial training would not open until 1816 (St. Bees College, Durham), but even then this provision was directed at those with a non-graduate background. The development of theological colleges open to both graduates and non-graduates would not start begin until the establishment of Chichester Theological College in 1839 to be followed by similar institution at Bath & Wells in 1840.

perused a handful of theological texts ahead of ordination.<sup>554</sup> Such was the paucity of subject specific training that Edward Phillips, Rector of Hathern (Leicestershire) for 50 years, was moved to admit himself ill-prepared for taking the cloth, regretting that he had not studied Hebrew and had "...no knowledge of spiritual religion at all,"<sup>555</sup> a dearth of which was shared by the Revd Samuel H in Thomas de Quincey's notorious autobiography; "This gentleman represented a class...who sympathise with no spiritual sense or spiritual capacities in man; who understand by religion simply a respectable code of ethics."<sup>556</sup> Possessing a genuine sense of vocation was similarly considered to be optional in candidates for holy orders as is conveyed through some of contemporary literature available to parents on future career paths for their sons. An early example is the 1809 work by Anglo-Irish educationalist R.L. Edgeworth entitled *Essays on Professional Education*. He wrote that "Church benefices [may be] considered as a fund for the provision of the younger sons of our gentry and nobles,"<sup>557</sup> but that for those without connections "...the prospects [were] not good."<sup>558</sup> He cautioned parents that such a career should only be considered if the family could "...fully defray the considerable expenses of his education at university, but add to his income perhaps for many years while he remained unbeneficed."<sup>559</sup> To Edgeworth, the requirements for a candidate for the Church were a good education (non-specific in content) and a network offering financial support and connections; genuine motivation or a sense of vocation was helpful, but a lack of such proved no particular barrier. These same such 'requirements' still formed the basis of J C Hudson's *The*

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<sup>554</sup> Rimmington, G. T. (2002) 'Early Victorian Clerical Incumbents in Leicestershire,' *Midland History* 27/1, p. 102.

<sup>555</sup> Knight, *The Nineteenth Century Church*, p. 111.

<sup>556</sup> Thomas de Quincey et al Christmas, F. E. (1983) (ed.) *The Parson in English Literature* (Gloucester, Alan Sutton), p. 138.

<sup>557</sup> Haig, A. (2016) *The Victorian Clergy* (Abingdon, Routledge), p. 8.

<sup>558</sup> *Ibid.*

<sup>559</sup> *Ibid.*

*Parent's Handbook* which was published more than 30 years later. In only one respect did Hudson offer a contrasting view to Edgeworth and this was his opinion on the prospects of a clerical life. For Edgeworth there was the very real risk of penury, at least in the early stages; not an unrealistic assessment. By the time Hudson was writing however, the Church fared comparatively well against the demands of the other professions: the forces were expensive (the Army) or slow and not well rewarded (the Navy), medicine was not cheap to enter and difficult to establish a practice in and the Bar was attractive but again expensive.<sup>560</sup> To his mind then, the Church offered a safe haven of patronage, yet accessible for those of relatively modest means. In addition, the duties were not onerous nor difficult and therefore afforded the "...opportunity for a display of the talents of its members far more easily than the professions of law and medicine."<sup>561</sup> For the incumbent, ensconced in a well-remunerated living with a minimum requirement of two services a week (which could be taken by a salaried curate), the clerical life was idealised as one of comfort and leisure.

Lacking a calling, possessed of little or no theological knowledge or homiletic training and promised a relatively easy existence within the bosom of a legal, and nominally dominant, Establishment, it is no wonder then that among the generations of young men entering the Church pre-1830 there was a tendency to abjure actions likely to cause controversy or sow discord in the community; at least in matters spiritual, in favour of an undemonstrative (and banal) Anglicanism combined with a paternalistic (if at times uncomfortable) tolerance of localised flirtations with inter-denominationalism. George Eliot's character of the pluralist clergyman in *Adam Bede*, the Revd Adolphus Irwine (Rector of Broxton, vicar of Hayslope, and vicar of Blythe),

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<sup>560</sup> Ibid, p. 9.

<sup>561</sup> Ibid.

captures this attitude rather well when endeavouring to calm a worried church warden reporting the outdoor preaching of a local Methodist;

Will Maskery [the Methodist preacher] ...used to be a wild drunken rascal, neglecting his work and beating his wife...now he's thrifty and decent, and he and his wife look comfortable together. If you can bring me proof that he interferes with his neighbours, and creates any disturbance, I shall think it my duty as a clergyman and a magistrate to interfere. But it wouldn't become wise people, like you and me, to be making a fuss about trifles, as if we thought the church was in danger because Will Maskery lets his tongue wag rather foolishly...We must 'live and let live,'...in religion as well as in other things.<sup>562</sup>

The Revd John Longe, the long-time vicar of Coddanham (Suffolk), was similarly unconcerned and dismissive about the presence of non-conformists in his parish. In his Visitation Return of 1820, he wrote; "There are a few Dissenters in the parish of low condition who attend the Independent meeting house in Needham, and there is a cottage licenced for Independents here at which teachers of different persuasions occasionally attend...but we have no meeting house in the parish."<sup>563</sup>

In those areas where it was acknowledged that the Church's infrastructure was stretched or non-existent there was a sense of reservation and acceptance of the reality that it was better that some within the community patronised alternative places of Christian worship (providing they were Trinitarian in theology and among the recognised forms of Old Dissent<sup>564</sup>) rather than risk a situation where the population was without any form of spiritual oversight. A very good example of this was in the district of Nailsworth, Gloucestershire. Until the erection of an Anglican chapel-of-ease

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<sup>562</sup> Eliot, G. (2003) *Adam Bede* (Ware, Wordsworth Classics), p. 50.

<sup>563</sup> Stone, M. (2008) (ed.), *The Diary of John Longe, Vicar of Coddanham, 1765-1834* (Woodbridge, The Boydell Press), p. 175.

<sup>564</sup> Often used to designate those who separated from the Church of England in the 17<sup>th</sup> and 18<sup>th</sup> centuries as opposed to so-called 'New Dissent' e.g. Methodists. Old Dissent included Presbyterians, Congregationalists, Baptists and Quakers.

in 1794, the community's only local place of worship was the Congregationalist Forest Green Church (founded in 1677) which welcomed Anglicans as well as committed non-conformists to an open communion.<sup>565</sup> But even where a parish church existed, this did not guarantee adequate provision as population growth outstripped capacity in many areas that were served by buildings little altered since the medieval period. The incumbent of the parish of Ruddington (Nottinghamshire) observed that it was not genuine disengagement with the Anglican Church which drove parishioners away, but the failure of the Church to invest in the expansion of its infrastructure;

There is a disposition in the parishioners to go to church. It has been manifested during the 17 years that I have had the living, and I found a large congregation when I first came. The Methodists have a meeting house in the village, and many have been induced to go to it only because there was no room for them in church.<sup>566</sup>

Similarly, the curate of the parish of Markfield (Leicestershire), the Revd William Fry, was compelled to admit that;

Markfield is almost proverbial for dissent and is a kind of nursery for the supplying of the adjacent Hamlets with preachers. There are two dissenting Meetings in it one is called the Methodist and the other the Primitive (alias Ranting) Methodist meeting...the parish church will scarcely seat 1/5 of the population of 950. Those who cannot get sitting or standing room in the church stand in the church porch.<sup>567</sup>

What this seemingly casual attitude of the Church to the growth of alternative centres of religious worship within the parishes did however expose was the fundamental weakness in banal Anglicanism (at least in a spiritual sense); it was ultimately a negative form of identity. Harking back to the post-Reformation compromises, spiritual

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<sup>565</sup> Urdank, A. M. (1990) *Religion and Society in a Cotswold Vale; Nailsworth, Gloucestershire, 1780-1865* (California, California University Press), p. 87.

<sup>566</sup> LPL ICBS 157, W. Fry to W.J. Rodber, 5<sup>th</sup> June, 1819.

<sup>567</sup> LPL ICBS 691, W. Fry to W.J. Rodber, 23<sup>rd</sup> August, 1825.

Anglicanism endeavoured to create a 'via media' between the so-called extremes of Catholicism and Reformed Protestantism. Hardwired into its very fabric was a banalifying tendency to alienate as few elements of society as possible. This approach could be a strength in as much as it could be held up as a focus for unity (whether national or local), but such a virtue was a brittle one and thus required constant nurturing. Banality, combined with a disinterested, irregular provision or neglect (however unintentional) on the part of the Anglican Church in terms of its religious and spiritual functions could only be pushed so far for some in the community. For those seemingly abandoned by an Established Church through a complete lack of presence or for those of a more seriously minded religiosity who sought a more intense and meaningful spiritual experience, a gap began to appear between the hitherto indivisible spiritual and civil aspects of the Anglican Church. This can be seen in the parish of Stretham (Ely) where "...the curate complained that in the parish and the whole neighbourhood there was 'a lamentable indifference as to what particular party in religion a man belong so that he profess Xtianity [sic].'"<sup>568</sup> Another such group existed at Melton Mowbray (Leicestershire), in 1839. The parishioners there were 'highly offended' when Mr La Trobe, the parish lecturer, was given notice to leave by the vicar, on account of his supposedly Evangelical opinions. The anxious archdeacon reported: 'The Church-People talk of building a new Church, and the Dissenters, who went to hear him, are gone back to their Chapels: The Independent-Chapel, which was by no means full, has now only 2 pews unoccupied.'<sup>569</sup> Many of these individuals would undoubtedly continue to identify with the Anglican Church, but that continued identity was to a broader framework of existence; the Church-centred parish as the regulating

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<sup>568</sup> CUL EDR C1/6, 1825.

<sup>569</sup> Ibid.

and validating authority, it no longer formed the complete religious experience. As a parishioner told the curate of Skegness, Edward Steere, "We comes to church in the morning to please you, Sir, and goes to chapel in the evening to save our souls."<sup>570</sup> The parish church became a place to affirm one's identity and commitment to the broader community, it was no longer (always) the place of individual salvation. Now this did not always manifest itself through interdenominational activity, the rise of the Evangelical movement within the Church of England provided some with an outlet that did not place them outside of the Establishment. However, as in the example of Melton Mowbray above, the parish church was often not the place in which this new more intense and activist expression of Anglicanism found a welcome. For those whose adherence to the Anglican Church as an agent of salvation had been reinvigorated by the Evangelical movement (and later the Tractarians), this aspect of their identity would often be lived out by attending services elsewhere.

### ***The Pluralities Act, 1838***

The problem for the Church, and for the Ecclesiastical Commission more generally, was that in seeking to devise a remedy for the problem of non-residency it approached the issue through the prism of the continuing comprehensiveness of the parish church in all matters administrative and spiritual (at least as a model). There was little or no recognition of the beginnings of the disaggregation between these two elements for the ordinary parishioner. To the episcopal leadership (and many senior lay people), it was a truth self-evident that "...the residence of a minister among the people committed to his care is so obviously essential to the effectual and edifying

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<sup>570</sup> Obelkevich, J. (1976) *Religion and Rural Society: South Lindsey, 1825-1875* (Oxford, Clarendon Press), p. 157.

performance of his various pastoral duties.”<sup>571</sup> One inevitably followed the other. Strong in this belief, and conscience of the increasingly vocal Radical attacks on a ‘sinecure Church,’<sup>572</sup> Melbourne’s Whig Government introduced the Pluralities Act in 1838. The provisions laid down in the legislation were based on recommendations of an earlier Ecclesiastical Commission report and advanced a purely administrative set of resolutions. The number of benefices which could be held by any one incumbent was limited to two, and they had to be within ten miles of one another; a distance considered to be realistic for proper attention to parochial duties in both communities by a single minister. However, if the population of a benefice exceeded 3000 souls, or the joint value of the two benefices was more than £1000 per annum, the incumbent would be denied the right to an additional benefice. It was permissible to hold benefices separated by more than ten miles if the value was less than £150 per annum and the combined population was above 2000. Cathedral or collegiate offices would be restricted to just one held in plurality with an incumbency. In all cases, dispensation had to be sought from the Archbishop of Canterbury for the exercise of pluralities. The goal of this Act was essentially restorative rather than reforming. In establishing a more restrictive set of criteria around the holding of multiple benefices (and/or extra-parochial offices) the Church aimed to return ministerial oversight to something like a standardised minimum across the existing parish system.<sup>573</sup> In this respect, the Act was largely successful. A quarter of parishes in Lincolnshire had non-resident clergy pre-1838, by 1850 this had been reduced to just 3%.<sup>574</sup> In Nottinghamshire non-

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<sup>571</sup> Monk, J. H. (1832) *A Charge to the Clergy of the Diocese of Gloucester* (London, Gilbert & Rivington), pp. 8-9.

<sup>572</sup> Evans, G. R. (2021) *Crown, Mitre and People in Nineteenth Century* (Cambridge, Cambridge University Press), p. 83.

<sup>573</sup> Knight acknowledges in her work on the nineteenth century church that the implications of the 1838 Act has been largely neglected by historians of the period. Chadwick, Machin and Best all acknowledge the legislation as being ‘revolutionary’ but fail to develop this argument much beyond this statement. See Knight, p. 120.

<sup>574</sup> Knight, *The Nineteenth Century Church*, p. 121.



residency had disappeared entirely from the county in the same period, from a rate of 20% before the passage of the Act.<sup>575</sup> The Anglican 'place' was to be now properly complemented by a 'parson.' Now in areas which had had to make do with irregular attention by a non-resident incumbent and/or the transitory services of hard-pressed curates, the move to greater permanency of the minister provided the space and opportunity for the attentive clergyman to embed themselves more wholeheartedly into the community. Pastoral care could be more immediate and sustained, there would be the reliable provision of a full complement of Sunday services, the minister could also take a more active role in parish administration and local affairs and clerical revenues would be directed in support of local acts of philanthropy or else used to support local trade. What was looked to was the resuscitation of what might have been a long dormant Church-centred parish framework in those areas which had grown rather used to non-residency.

However, in choosing to legislate to more firmly tie ministers to their parishes, the Church had unconsciously shifted the balance of perception away from the banal and into the positive. It has been acknowledged by historians such as Knight that analysis of the state of pastoral relations pre and post the arrival of resident ministers has been under-researched, however one is able to draw on some informed assumptions as to the implications of enforced residency on parish communities. Under the watchful eye of a newly reinvigorated archdeaconry,<sup>576</sup> the now permanently resident incumbents felt obliged to take more direct control over matters spiritual and parochial. Whereas transitory curates or hurried pluralists may have felt more inclined to defer to the advice

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<sup>575</sup> Ibid.

<sup>576</sup> Burns, A. (1999), *The Diocesan Revival in the Church of England c. 1800-1870* (Oxford, Oxford University Press), p. 43. Although parochial visitations had been performed effectively in some areas during the eighteenth century, this unique form of clerical performance management was still far from universal into the first decades of the nineteenth century.

of parish officers, the resident incumbent would feel they had a responsibility to challenge this advice and go against what may have been the established customary practices at work in parishes. Incumbents "...would set the tone of the worship and ethos of Anglicanism within the parish"<sup>577</sup> where this would have been previously less sharply defined; or more popularly directed. The provision of more services and the active participation in roles like pastoral visiting and the administration of charitable relief brought the reality of a positive Anglicanism into the lives of many parishioners; maybe for the first time in their lives. For those used to only the more banal interactions with Anglicanism; that is in its guise as the validating authority and administrative framework of the community, this could provide a far more comprehensive and enriching religious experience of Anglicanism. However, for others, perhaps the more religiously inclined, clerical tolerance of the easy interdenominationalism which had helped cater to those who were not spiritually satisfied by the perceived banality of the expressly religious element on offer through the parish was now likely to give way to a more sceptical if not openly hostile attitude to such behaviour. Residency bred a greater attachment to place and one's authority (or lack of) within it. Where co-operation between church and chapel might once have existed more as expediency in the face of an over-stretched Establishment, such a situation was now being remedied and the Church's tacit licence for nonconformity to operate within its territory was steadily withdrawn. One now stood a full Anglican or stood outside as a nonconformist. There was to be no division between the Anglicanism of 'place' (administrative) and the Anglicanism of the 'parson' (spiritual); to identify with one was to identify with the other. One could not be half in and half out anymore. Was it to be

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<sup>577</sup> Knight, *The Nineteenth Century Church*, p. 34.

Church or was it to be Chapel? The national had become discriminating, the banal had become positive.

If one was to try to capture in a single statement the contention set out in this chapter, one can do no better than referring back to the Skegness parishioner who declared, quite unashamedly, that they "...came to church in the morning to please you [the incumbent], and goes to chapel in the evening to save our souls."<sup>578</sup> In making this statement this Skegness parishioner underlines the reality that the enduring strength of Anglicanism up to the end of our period lay in it being the structure which sat at the heart of a framework of existence, it was conceived as an institution indivisibly civil and spiritual. It was the place where parishioners affirmed their commitment to, and identity with, the broader community. It was where one received their name, and personhood; validated by the community, through the auspices of the Church-centred parish. And it was where one looked to be laid to rest; buried among the community, and being admitted as part of a community eternal. Even in the act of Sunday preaching, the moment expressly designed to advance the distinct Anglican doctrinal message, the thrust favoured a blandly Christian appeal to a good and orderly co-existence. But the challenge to this banality comes with the disruption to the aggregation between the civil and spiritual; a division made clear in the second part of the parishioner's statement. In the case of baptism, the sustained Evangelical challenge to the prevailing Neo-Arminian doctrine of salvation fundamentally shifted presumed communal equality, to a spiritual meritocracy in which the space of the church was increasingly to be reserved only for those who positively identified with these new (distinctly non-banal) spiritual demands. This was combined with the introduction of the Civil Registration Act which created a mechanism for the acquisition

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<sup>578</sup> Obelkevich, *Religion and Rural Society*, p. 157.

of a valid legal personhood outside of the institution of the church. Identity was now rendered an entirely individual possession, granted by legal writ. It was no longer to be intractably bound up with obligations which encouraged the attachment to a wider community. A similar shift from the communal to the individual (the banal to the positive) was apparent in burials also. The popularity of grave-marking; itself driven by an increasing materialism, changing attitudes to physical remains and a growing population, led to the forcible shift of the burial ground from being a place of an implicit (banal) communalism into an area of contested space in which the explicit assertion of identity became the dominant requirement for use. No longer able to satisfy the demand for the idealised burial, the churchyard increasingly gave way to the new private cemeteries operated through joint-stock companies. Responsibility for the care and memorialisation of the dead was no longer a duty of the parish community, this duty now fell to the deceased familial and personal networks – privatised engagement with the dead had now taken the place of the banal obligation of the parish. In choosing to legislate to more firmly tie ministers to their parishes, the Church shifted the balance of perception away from the banal and into the positive. Newly resident ministers now felt obliged to take more direct control over matters spiritual and parochial. The provision of more services and active participation in pastoral visiting and parish administration brought a far more positive experience of Anglicanism into the lives of the parish community. Residency bred greater willingness to challenge deviant behaviour, including that which had long been customarily accepted by both Church and community. A relaxed interdenominationalism gave way to a pressure to establish more distinctive identities. In his statement at the beginning of this chapter, Wilberforce denied that the *onus probandi* should be applied to those born in a county where Christianity was the established religion. Rather, the assumption had to be disproved

through positive declaration to the contrary. By the end of our period this statement was not so much undermined as made more complex. There could be no longer such an immediate identification between Christianity as a faith and the set of practices and rituals associated with that of the 'established religion.' Christianity, as expressed in its Anglican form, was no longer a common confessional doctrine but rather became a point of reference in which the individual became increasingly aware of a more distinct range of offers outside of the framework of the Church-centred parish. Within one or more of which they could find greater satisfaction of their civil and spiritual needs. The sobriquet 'churchmen' now came to designate a specific group (or nation) within English Christianity, and it was one that the individual had to regularly, and positively acknowledge.

## **Chapter IV – The Church Building**

...not a tenth part of the Church of England population can be accommodated in our churches and chapels, to worship God after the manner of their forefathers.<sup>579</sup>

...His Royal Highness most earnestly recommends this important subject to your early consideration...with the conviction, that the religious and moral habits of the people are the most sure and firm foundation of national prosperity.<sup>580</sup>

The first statement above is attributed to a letter written to the reforming prelate Beilby Porteus,<sup>581</sup> the then Bishop of London, in the closing years of the Napoleonic Wars by those in the circle of the influential High Church layman Joshua Watson. The second is an excerpt from the Prince Regent's speech (read by the Lord Chancellor) at the opening of Parliament on 27<sup>th</sup> January, 1818. Superficially at least, the objective of both authors was one and the same; namely to seek state support for a programme of church building. As has been stated elsewhere in this study, the legislative efforts to increase the number of clerics permanently resident in the parishes had helped to bring into sharper focus the reality that the physical infrastructure of the Church was simply unable to provide the necessary accommodation for a large majority of the population. The increasing pace of urbanisation meant that the villages and small market towns of seventeenth and early eighteenth-century England were rapidly expanding far beyond the capacity of the (still largely) medieval churches set at the heart of many of these communities. However, a more careful reading of the statements point to a slightly differing emphasis as to the ultimate purpose of church buildings. For those around Watson, the spiritual imperative is made clear. This is about ensuring that the distinct theology and religious practices associated with

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<sup>579</sup> Hedley, G. (2018) *Free Seats for All* (London, Umbria Press), p. 19.

<sup>580</sup> HL Deb 27 January 1818 vol 37 cc1-4.

<sup>581</sup> Beilby Porteus (1731-1809), an associate of the Clapham Sect and active in the anti-slavery movement. He served successively as Bishop of Chester; 1776-1787, and then Bishop of London; 1787-1809.

Anglicanism are made available to the greatest number possible. To their mind the state had a duty to uphold the Anglican Establishment through measures designed to actively arrest the growth of sectarianism. But for the Prince Regent, and those within the senior reaches of government, the state-sponsored expansion of church building was a means to achieve a far broader end; it was to promote the 'religious **and** moral habits of the people.' Now whilst this objective does indeed make specific reference to 'religious' (or Anglican) adherence, in aligning this with the promotion of 'moral habits' religious practice was not necessarily perceived to be the end in of itself, but rather it was conceived of as being the foundational principle upon which the social and political order could be maintained. In essence, Anglicanism was regarded as a form of implicit state 'coercive' power. These nominally differing agendas were in many ways mutually supporting, and a great number of those engaged in this effort did not consider themselves as pursuing separate ends. One could argue that such a disparity in opinion on the precise role of the Established Church was one that went all the way back to the Reformation. A resolution to the argument had been left deliberately ambiguous, like so much of the post-Reformation settlement. This had largely held within a context where the principal geography of church infrastructure had remained relatively static for centuries, but with the emergence of the campaign for state investment in a church building programme this debate was once again brought into the spot-light. Although there have been a number of studies on the evolution of Church design and on the church building programme itself during the first half of the nineteenth century, interest has tended to focus primarily on the actual physical structure of the buildings themselves. There has been remarkably little attempt to examine building design and its relationship to identity. Through an examination of the principles underpinning these efforts we reveal another point of dispute which, by the

end of our period, would serve to drive another wedge between the civil and spiritual aspects of the Anglican Confessional identity.

### ***Too Many Souls, Not Enough Seats***

As to exactly how serious the situation was on the ground for the Church of England in terms of available accommodation, the figures throw the extent of the deficit into stark relief; Stockport had a population of 33,973 in 1818, yet it had church accommodation for only 2,500. Almondbury (near Huddersfield) had a population of 13,195 and church seating for 2,800. Sheffield, 55,000 and sittings for just 6,280. Manchester, 80,000 and space for 11,000. Nor was this an issue confined expressly to the northern industrial towns, in London the disparities were just as wide. In the parish of St. Marylebone, the residential population numbered 76,624 and there was church seating available for only 8,700. Similarly, in Shoreditch there were 2,300 seats for 43,488 inhabitants. In the Plymouth parish of Stoke Damerel there lived some 32,250 souls and they were obliged to share just 5,000 seats. Even the largest parish in genteel and fashionable Bath had not more than 4,870 seats for its 20,560 well-heeled inhabitants. Altogether it has been calculated that there was an approximate deficit of 2,528,505 church sittings within the Established Church.<sup>582</sup> The new expanding industrial centres were growing at such a pace that the ancient ecclesiastical/parochial structures were quickly overwhelmed and, as a consequence, much of the population of these areas were left without even the knowledge of the parson, let alone the benefit of their ministrations. As the Archbishop of Canterbury remarked during a debate in the House of Lords on the growth of Dissent; "...the fact was that our population had, particularly in large towns, far exceeded the machinery

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<sup>582</sup> Port, M. H. (1961) *Six Hundred New Churches: The Church Building Commission, 1818-1856* (London, SPCK), p. 5.



by which the beneficial effect of our church established could be universally communicated.”<sup>583</sup> That is not to say that there had been no efforts at expanding the infrastructure of spiritual provision during this period. Various localised, and often lay-initiated, campaigns to increase church accommodation to meet the needs of the growing population of the towns and industrial areas had been apparent since the very end of the seventeenth and the early eighteenth century. For example, in 1696 the growing settlement of Gosport, then part of the parish of Alverstoke (Hampshire), financed the construction of a chapel so as to better serve the community than the more distant St. Mary’s (which itself had to be expanded in 1737). Similarly at Deal in 1712, Great Yarmouth in 1714 and Gainsborough in 1736 new churches were built to accommodate the growing populations of these port towns. The corporation of King’s Lynn was granted the right to sell annuities, guaranteed against the future revenue of the church rate, in order to fund the reconstruction of St. Margaret’s Church (now King’s Lynn Minster) in 1745-46 after the collapse of the central lantern and the southwest spire.<sup>584</sup> But such efforts were not confined to corporate initiatives alone. Among the new generation of industrial magnates were those individuals who showed an equally sincere concern for the spiritual welfare of their large number of workers. Sir William Blackett is a good case in point. Owner of substantial mining interests in Northumberland, Blackett ordered the construction of chapels beside the lead mines at Allenhead and another at Coalcleugh.<sup>585</sup> Another example was at Sir Ambrose Crowley’s iron foundry at Winlaton (County Durham) where a chapel of ease was constructed in 1705 in order to cater to the needs of the 2,000 employees. Even the Government sanctioned Commission for Building Fifty New Churches, established in

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<sup>583</sup> *Hansard*, IV (1809), 857.

<sup>584</sup> Jacobs, W. M. (1996) *Lay People and Religion in the Eighteenth Century* (Cambridge, Cambridge University Press), p. 198.

<sup>585</sup> *Ibid*, p. 200.

1711 under the terms of the New Churches in London and Westminster Act (1710), sought only to address the very specific pressures felt within the rapidly growing parishes along the Thames, in the parishes to the immediate west of the City; the Strand, Bloomsbury and Holborn, and to the south of the river around Southwark. Despite its stated objective, the Commission failed to meet the target set out within the legislation. Between 1713-1733 the Commission succeeded in delivering only eleven entirely new churches, the rebuilding of five and alterations to a further two.

In part, this situation had been allowed to arise because of a number of obstacles which stood in the way of individual efforts to improve seating provision within any



single parish or area. If a pew-rent system was already well-established within the existing church, the possibility of an expansion or even of the construction of a new church raised fears about a potential decline in revenues.

Also, consideration had always to be given to the likely impact on the property rights/privileges of the local patron/s and the incumbent themselves. There was also the perennial issue of funding. Raising the necessary monies for the construction of a new church presented a number of difficulties. Increasing the church rate was neither a popular nor a reliable source of supply; and because of these uncertainties the church rate was not generally deemed as valid security for a loan. An application could be made for a 'brief'; this was a warrant issued via the office of the Lord Chancellor which authorised a special collection across the nation to be made in support of a charitable purpose. Parishes hoping to raise funds using this mechanism had to make an application (through the Church Wardens) to the local magistrates. The presiding

justices would then seek the advice of surveyors and workmen on the estimated cost of the proposed works. If they agreed to approve the project, the application (including costs etc) would be sent on to the Lord Chancellor to grant the necessary sanction. However, the administration costs of a single 'brief' often absorbed up to two-thirds of any expected revenue and it would likely be three years before the business of the collection was actually completed. When the Cumbria parish of Ravenstonedale applied for a 'brief' for the reconstruction of St. Oswald's Church (pictured below) in 1742 the cost was estimated at £280. A total of 9,986 'briefs' were issued to parishes throughout the land in support of this rebuilding project from which the sum of £614 12s 9d was raised. However, expenses on the administration of the 'brief' actually reduced this total by £330 16s 6d.<sup>586</sup> The various hurdles confronting those who sought to expand provision within the Church of England were in sharp contrast to the simple registration and licencing mechanism available to the various Dissenting denominations to acquire and operate a place of worship. Indeed, some exasperated Anglicans even resorted to taking out licences for chapels and then conducting Prayer Book services in these buildings in a desperate effort to expand Anglican spiritual provision but outside of the formal Church structure.

### ***The Church Building Society & The Church Building Commission***

Ultimately, it fell to a group of determined laymen to throw down a challenge to this continued state of affairs. In late 1815, John Bowdler (1746-1823), an associate of Joshua Watson and the High Church group 'The Hackney Phalanx,' composed a memorial to the Prime Minister, Lord Liverpool, in which he set out to highlight the urgency with which something had to be done about the growing shortage of church

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<sup>586</sup> Ibid, p. 198.

space. The memorial spoke of the fear of "...the danger to which the constitution of this country both in church and state is exposed from the want of places of public worship for persons of the middle and lower classes."<sup>587</sup> To back up his argument, Bowdler outlined the situation in some fifty parishes around London where there were "...more than a million inhabitants; and...all the places of public worship in those parishes belonging to the Establishment are not capable of containing one tenth part of that multitude."<sup>588</sup> Very well aware of the various obstacles in the way of private and/or parochial initiatives, Bowdler declared that, in this, "...Parliament alone can do it, and we conceive it to be one of its chief duties to provide places of worship for the members of the established religion."<sup>589</sup> This memorial was signed by one hundred and twenty other laymen. M. H. Port has speculated that the widespread support that the memorial received was in part due to the impact of the highly influential pamphlet by the Revd. Richard Yates, which had been published (in the form of a letter to the Prime Minister) some months previously. Entitled *The Church in Danger*, Yates' stinging attack on what he saw as the vast array of deficiencies apparent within the structure and organisation of the Church of England and its need for a comprehensive programme of reform was widely quoted in political circles. The recurrent theme which ran throughout Yates' narrative was the belief in the inseparability of religion and societal order. He wrote, "Without the restraint of Religious Principle human laws are unequal to the task of stemming the torrent of turbulent and selfish passions."<sup>590</sup> To begin the work of remedying the issues he had identified, Yates called "...for an Act to distribute the population into appropriate divisions, supply the means of public worship

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<sup>587</sup> John Bowdler et al Port, *Six Hundred New Churches*, p. 9.

<sup>588</sup> Ibid.

<sup>589</sup> Ibid.

<sup>590</sup> Yates, R. (1817) *The Basis of National Welfare* (the second instalment to the earlier *Church in Danger*), p. 100.

and provide the useful and efficient discharge of pastoral offices in the districts not hither so provided.”<sup>591</sup> At a time of continued socio-economic tension, this belief in the sociological role of religion was one which was not lost on either the Government nor the Opposition. However, despite the high-profile agitation on the issue, there remained a reluctance on the part of the Liverpool administration to commit to any further concrete actions in the immediate term. When George Bramwell called on the Prime Minister’s Private Secretary to ascertain Liverpool’s response to the memorial a month after its receipt, the response was that “...it formed part of a more extended concern in his Lordship’s contemplation.”<sup>592</sup> That there had been something ‘in contemplation’ can certainly be gathered from correspondence between Sidmouth and Lord Kenyon dated 20<sup>th</sup> November, 1815. The Home Secretary wrote that “I have now no doubt of Lord Liverpool’s determination to submit a proposition to parliament, in the ensuing session, for an augmentation, to be progressively made, of the number of places of worship under the Established Church.”<sup>593</sup> However, the fallout from the 1816 budget, and with it the substantial reduction in government revenue, made the prospect of action on this matter impossible during that Parliamentary session.

Frustrated by the continued inaction on the part of the state, and unwilling to allow the restless activism of the Phalanx to lose momentum behind this issue, Bowdler and his circle called a meeting on 23<sup>rd</sup> May, 1817 at the City of London Tavern with the purpose of raising a voluntary subscription to the cause. Those gathered were given an account of the events in the eighteen months since the presentation of the memorial. Attendees expressed their very real concerns about the continuing success of Nonconformity, particularly Methodism and its growing number of splinter groups,

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<sup>591</sup> Ibid, p. 10.

<sup>592</sup> Incorporated Church Building Society et al Port, *Six Hundred New Churches*, p. 10.

<sup>593</sup> Pellew, G. (1847) *Life of Lord Sidmouth*, p. 139.

in building up their own mission infrastructure in the growing urban and industrial communities; unencumbered by many of the regulatory and proprietorial restrictions which inhibited the Established Church; "...tied up and handcuffed"<sup>594</sup> as Harrowby had declared as early as 1810. For the defenders of the Church there remained precious little time to forestall this rising tide of deviancy. Efforts by some present to move that no further action ought to be pursued until Liverpool had provided a formal response to the memorial was defeated. There was no mood for further delay; the time for action was now. Three days later a representative committee drawn from those in attendance at the Tavern meeting, and under the chairmanship of Joseph Cotton, assembled at Lincoln's Inn Fields to formally constitute a new society dedicated to 'promoting public worship by obtaining additional church-room for the middle and lower classes.'<sup>595</sup> Joining Cotton on the committee were Bowdler, Kenyon, Davis, Bramwell and Gipps. The leading role taken by laymen in driving forward the church building programme is noteworthy for it was they who agitated the nervous clergy and overcame the procrastinating tendencies of the political leadership to commit to action while the Church's own natural leadership – the bishops – remained strangely silent. Lord Harrowby remarked of the prelates that; "Though I meet with some encouragement and general professions, there is no person who will put his hand to the plough." Port suggests that the bishops then on the bench represented very much an eighteenth-century generation of political appointees who were "...fearful of stirring up the envy of reformers and radicals, they chose to keep the church in the very background of the nation's life." In contrast, the post-1815 generation of prelates would have a far greater predilection for genuine religious activism; having been

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<sup>594</sup> *H.M.C. Kenyon*, pp. 464-465. C. Wordsworth to Lord Kenyon, 5<sup>th</sup> Dec. 1816.

<sup>595</sup> Hedley, *Free Seats*, p. 22.

chosen more for their religious opinions than their political affiliations. They thus identified more directly with the restless religiosity of elements of the laity and parochial clergy.

Yet it is important to recognise that the decision to launch the extra-parliamentary effort was in no way intended to be an exercise in direct action against any perceived failing on the part of the Church. This was evidenced by the resolution that: "No money be advanced...to any parish without the consent of the Ordinary, Patron, and Incumbent."<sup>596</sup> Nor was there a desire to undermine the government's position. To this end, the committee sent a deputation, led by Sir Thomas Dyke Acland,<sup>597</sup> to meet with the Prime Minister and to seek his approval for the new organisation. Whatever their individual feelings of frustration towards State inaction, there was a good deal of anxiety on the part of the committee that this new society should be regarded rather as a means of preparing the way for a far more comprehensive plan to be brought forward by the government as soon as the political and financial situation allowed. With this aim Liverpool was in agreement, as was the Archbishop of Canterbury. The latter also hoped that the society's work would not provide the government with a convenient excuse to further delay grappling with the issue. In this regard the Primate was all too soon reassured. Just a month before the official launch of the new society was scheduled to take place, the Prince Regent's Speech from the Throne announced the government's commitment to the cause of funding the building of new churches. Was there now a need for the new society? Waverers were convinced to press on with the plan. On the 6<sup>th</sup> February, 1818, under the chairmanship of the Archbishop of

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<sup>596</sup> Port, *Six Hundred New Churches*, p. 12.

<sup>597</sup> Sir Thomas Dyke Acland, 10<sup>th</sup> Baronet (1787-1871), scion of an old Devonshire family Acland represented the county as a Tory on two occasions; 1812-1818 and 1820-1831, and then North Devon from 1837-1857.

Canterbury, the Church Building Society came into existence. On 30<sup>th</sup> May that same year, the first Church Building Act was passed by Parliament and set aside the sum of one million pounds which could be drawn upon by a new Church Building Commission charged with executing the legislation.<sup>598</sup> The Commission was empowered to remain in existence for a maximum of ten years, during which time the Commissioners were to expend the budget as economically as possible; this was a different approach to that taken by previous efforts started under Queen Anne which placed a target on the number of churches built. The earlier Commission had been extensively criticised for its failure to deliver during the debates on the new Bill so it was therefore considered that a more flexible approach would prove to be both more effective and economical. In the space of just three months, there were now two organisations dedicated to the task of remedying the deficit in Anglican Church accommodation. Although the manner in which these organisations set about their work differed according to their respective regulatory frameworks and available resources, in terms of their understanding of church building as an architectural exercise both organisations subscribed to a remarkably similar pattern; at least until the beginning of the 1830s.

### ***Pulpits, Pews and Pointed Arches***

If we imagine ourselves as a regular parishioner attending an Anglican church service in England in the period before the 1840s, the scene that would have greeted us would have been much the same as that of any other parishioner in England, Wales or Ireland. Although the external appearance of the building would have varied from parish to parish; architectural styles reflective of the age of the structure (Early English, Decorated, Perpendicular or Neo-Classical designs would have all been apparent),

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<sup>598</sup> Further monies would be voted under similar legislation in 1819, 1822, 1824, 1827, 1831, 1832, 1838, 1839 and 1840.



the internal arrangements would have followed a familiar pattern. The church would have been pewed, rather than fitted with open benches. Visitors to the parish would have been shown to seats reserved for 'strangers.' For the most part, the pew seats faced the east towards the pulpit (which could be of a triple decker style). In larger churches there may have also been galleries on the north, south, west and even eastern walls (suspended above the altar). The service would begin with the minister, garbed in a full-length white surplice, a black scarf and the hood of his degree (the overwhelming majority being university men), climbing the steps to the reading desk from whence he would direct the service. The usual Sunday morning service (as far as one is able to generalise) would have been made up of Morning Prayer, Litany and Ante-Communion. With the exception of the sermon, all parts of the service would have been given from the reading desk. The duty of leading the congregational response would have been taken by the parish clerk, who would also lead the singing. The psalms, canticles and possibly an anthem would have been sung by a choir, usually ensconced in the west gallery, musically supported by either an organ or a small band. In the smaller country churches sung worship would have consisted of simple metrical versions of the psalms and canticles but could be more elaborate depending upon the quality of the singers. After the Nicene Creed the minister would have changed back into the surplice for the Prayer for the Church and the final prayers and the blessing."<sup>599</sup>

Contrary to popular understanding, the presence of pews in churches was actually a comparatively recent development in the history of Christian worship in England. Before the thirteenth century, English churches were devoid of all seating, congregations simply had to stand for the duration of the service. Gradually however,

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<sup>599</sup> Yates, N. (2008) *Liturgical Space* (Farnham, Ashgate), p. 91-92.

a few backless stone benches began to appear. Usually sited along the walls, they provided a place for the sick and elderly to rest so that they might be able to attend divine worship for a longer period of time. It is from such a practice that the expression 'the weak go to the wall' is derived.<sup>600</sup> Eventually these benches began to be moved away from the walls and into the body of the nave; later being fixed to the floor. Wooden benches started to take the place of stone by the fourteenth century, and by the fifteenth century would be far more commonplace. Permanent, fixed seating would not however become standard in all churches until the period after the Reformation. As the focus of divine worship moved away from the celebration of the sacraments and on to the sermon, which itself became a far lengthier exposition on the text, the need for benches, and then pews became increasingly apparent. Individual members of the congregation would pay for the installation of personal seating space, thus effectively privatising (and commodifying) the space within the church. Space could be purchased outright or let on a weekly basis. The revenue drawn from pew-renting and pew-selling was used for a variety of purposes; often to help with maintaining the fabric of the building, but also to financially support the minister, curate or clerk. The purchase of pew space was recorded in dedicated pew-deeds, which became attached to the ownership of certain properties within the parish. Those claiming ownership of the grandest properties in the parish ensuring for themselves an equitable position of status within the body of the church. Rates varied accordingly. At Banbury, Oxfordshire in 1797 "...double pews 'first class' fetched £100, thirty-three 'second class' £50, forty-three 'third class' £30, and fifty-five 'fourth class' £10"<sup>601</sup> providing a total income of £190. At St. Mary's, Birmingham in 1774, the total pew-

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<sup>600</sup> Hedley, *Free Seats*, p. 63.

<sup>601</sup> Friedman, *The Eighteenth Century Church in Britain*, p. 53.

rents for the ground floor were set at £130 4s, and £193 17s for the galleries.<sup>602</sup> As set out in Gough's *History of Myddle*, the arrangement of seating in the body of the church neatly embodied, and to an extent legitimatised, the prevailing socio-economic hierarchy within the parish.

The first seat on the North side of the North Isle [sic] belongs to Mr Hanmer's farm in Marton, Mr. Andrew Acherley for lands in Marton...and to Sleape Hall.<sup>603</sup>...The second pew on the North side of the North Isle [sic]...belongs wholly to the farm called the Hollins...The third pew on the North side of the North Isle belongs wholly to Sleape Hall...The fourth pew on the North side of the North Isle...belongs to Mr Hanmer, of Marton...The fifth pew on the North side of the North Isle...belongs wholly to Mr Lloyd.<sup>604</sup>

Having been long established in many places, the mechanism was considered as a perfectly legitimate form of indirect church taxation or capital raising (in the case of a sale), but also as another species of property hedged about with all the usual legal safeguards. As such, it was entirely understandable that the regulations governing the dispersal of state funds via the Church Building Commission included an expectation that part of any new or extended church seating would be 'enclosed' (that is let or sold), with then a remainder given over for use by all comers. In doing so, the Commissioners not only hoped to offset costs, they also hoped to be able to side-step potential legal challenges related to the diminution of property value (in the event that the church was reordered and expanded); allowing for re-provision of enclosed seating, or the possession of tithe revenue (some of it in lay hands) in the event of a new parish being created, by using the pew-rent as the principal means of financial support for a minister and clerk. This was very much in contradistinction to the Church

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<sup>602</sup> Ibid.

<sup>603</sup> Gough, R. (1981) *The History of Myddle* (Middlesex, Penguin), p. 84.

<sup>604</sup> Ibid, pp. 92-95.

Building Society who, operating outside of the strictures of legislative regulations and direct Parliamentary scrutiny, was able to take a far bolder position and effectively stand in opposition to the principle of enclosed seating. Damning the practice as both divisive and exclusionary, it also attacked those engaged in sub-letting and the buying up of pew-space as a commercial investment.<sup>605</sup> Although on its own the Society was unable to prevent the appropriation of church seating in new and expanding churches, by 1830 it could boast that of the 335,933 seats procured through its auspices just over 140,000 were made free.<sup>606</sup> This was a far better proportion than the twenty percent usually achieved by the Commission.

As to the building form, under the regulatory stipulations of the Act, rule ten stated that the maximum the Commission could spend on any one church (with particular reference made to the costs associated with building in London) was twenty thousand pounds; although this could be raised in individual circumstances through application to the Privy Council. Funds could be drawn down to finance the full construction costs of new churches, but more usually they were in the form of grants to support private initiatives or to extend loans for this purpose; although in this latter instance, credit would only be extended to parishes "...with a population exceeding 4,000 in which there was not church room for one-fourth; or in which more than 1,000 lived more than five miles from the nearest church."<sup>607</sup> The Act sought to impose strong regulatory controls on the external and internal character of all churches erected under the provisions of the Act. The design specifications set out a requirement for churches to be "...an ecclesiastical edifice for divine worship in accordance with the rites of the

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<sup>605</sup> Hedley, *Free Seats*, p. 65.

<sup>606</sup> *Ibid*, p. 64.

<sup>607</sup> *Ibid*, p. 24.

United Church of England and Ireland.”<sup>608</sup> This requirement was to be enforced through regular inspection by the Board. How far one was able to identify a style of design which conformed to this principle is somewhat doubtful in that “...as with much of the eighteenth century...the pattern [of church building] was particularist, with each parish having a rather different history and tolerating real abuses whilst others engaged in impressive building campaigns.”<sup>609</sup> Despite the absence of evidence for a consistent style of building form, in choosing to include a statement of overall design principles it was clear the Board at least sought to impose greater central control over the myriad of local variations so as to be certain that the building’s design complimented the functional purpose for which it was intended. So, whilst it is not possible to attribute any direct influence in the style to the Commission itself, as has been argued by Port, it is at least possible to make the case that what the Commission did was seek to establish for the first time a national church design framework. In terms of external appearance, in so far as the Commission could be said to have had a favoured style, it was classical.<sup>610</sup> There was an acceptance in the prevailing notion about contextual propriety in terms of external form – classical for the town and Gothic for the country – although due to the rigorous attention to economy the stylistic differences between Commission built churches was often confined to the minor aspects of ornamentation; for example, window shapes and the building of porticos or spires. There existed a far greater interest in the internal arrangements. For high churchmen (dominant on the Board) and Evangelicals (active in the extra-parliamentary movement) alike there was a belief in the centrality of the minister as key religious focus, and therefore the positioning of the pulpit was an issue which

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<sup>608</sup> Port, *Six Hundred New Churches*, p. 31.

<sup>609</sup> Whyte, W. (2017) *Unlocking the Church* (Oxford, Oxford University Press), p. 39.

<sup>610</sup> Port, *Six Hundred New Churches*, p. 60.

aroused particular interest. In his work *Liturgical Space* Nigel Yates identified six main types of internal arrangements in Anglican Churches up to the early nineteenth century. These variations can actually be further reduced to two main sub-groups: High Church and Reformed styles. The more popular arrangement, at least according to surviving examples, was the High Church style. This placed "...the pulpit and reading desk...together in one of the eastern angles of the nave and with the chancel empty apart from the altar."<sup>611</sup> This ensured that due significance was attributed to both the ceremonial (communion around the altar) act and the preaching of the word in terms of the focus of the congregation. All faced east. Although less popular in terms of surviving examples, those churches built (or remodelled) in the Reformed style did enjoy a degree of popularity, in particular in the towns. This style had a number of variations for the location of pulpit and reading desk: in the middle of the long or short sides of a rectangular building, at the central point in a T-shaped floorplan or in the middle of the eastern end of the building (both in front of or above the altar). This last style would prove to be the most common of the Reformed styles and was considered by many to be both theologically sound (with emphasis very much on the preacher, but with a separate and dedicated space for the less regular sacramental act) and generally practical (the positioning in the centre of the east end allowed for the congregation in the nave and surrounding galleries the best opportunity to see and hear the minister). Despite this approval, the Reformed style's tendency to obstruct the view and conceal the presence of the altar continued to meet with significant disapproval by the usually dominant High Church faction. It is therefore not surprising that the High Church majority on the Commission passed a resolution that all designs were to give "...particular regard...to the ease of the minister in speaking and the

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<sup>611</sup> Yates, *Liturgical Space*, p.78.

situation of the reading desk and pulpit to the advantage of the congregation seeing and hearing the officiating minister,"<sup>612</sup> but at the same time favoured internal arrangements which did not detract from the prominence of the altar. Indeed, the design principles were quite particular in this requirement. They specified that altars were to be fixed in the sanctuary recess of between eight and fifteen feet in depth. Above it was to be placed a series of panels on which were inscribed the Lord's Prayer, the Commandments, and the Thirty-Nine Articles. All seats were to face eastward, towards the altar. Double or square pews were forbidden, and pews were to be of a uniform low height so that all might see both sanctuary and pulpit.

If the Commission restricted the maximum expenditure on any one project to the still fairly modest sum of twenty thousand pounds, the funds available to the Society rarely permitted contributions above that of five hundred pounds. Sometimes its financial support to the church building could amount to just twenty pounds. Nonetheless, it also proved far less restricted in its mission, and prepared to offer support for the enlargement and re-fashioning of existing churches, as well as new builds – in contradistinction to the Commission. In this regard the Society was able to procure additional seating far more economically through its willingness to install new galleries or the rebuilding of old ones within the confines of ancient parish churches. This aside, the Society's first published design code, *Suggestions and Instructions*, of 1819, suggested an almost identical conception of form to that advanced by the Commission – the same High Church influence being clear. In the construction of the walls the Society's guide advised applicants that durability was to be regarded more than beauty. Windows could be either Grecian or Gothic, with as little glass as possible so

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<sup>612</sup> Port, *Six Hundred New Churches*, p. 32.

as to avoid any increase in costs.<sup>613</sup> The building was to be wrought in stone, "...pure and simple, yet venerable, and having the character of a Church or Chapel; none preferable to the simplest Gothic [although] Grecian Doric [was] also eligible."<sup>614</sup> The overriding rule at all times was "...to deviate not a tittle from the fixed laws of church arrangement and the authority of antient examples."<sup>615</sup> Echoes were to be prevented through avoidance of domes and coved ceilings with all woodwork "...favourable to the voice."<sup>616</sup> The building itself was to contain a central aisle from the west to the east and the congregation should all be able to see the minister as well as hear him, "...therefore no square, or round or double...pews should be allowed, and as few pews as may be."<sup>617</sup> The remaining was to be filled with open benches with backs. All seats were to face the preacher, as far as possible, and the benches, "...whether pewed or not, should be set from east to west so that no part of the congregation may turn their backs on the altar."<sup>618</sup> The pulpit should be placed in the most visible position possible. Where galleries were to be fitted, they were to consist of benches and "...back-railings for children and others entitled to the use of free seats; and the eastern end of them, if they lie nearest to the pulpit or reading desk, may afford the best accommodation to the aged and infirm."<sup>619</sup> If it was decided that consideration should be given to softening the hard benches, the traditional use of woollen linings and/or cushions was cautioned against as being "...apt to harbour dust, damp and vermin."<sup>620</sup> In essence, the building form (or at least the guiding principles of design) advocated by both the Commission and the Society sought to in part codify, regularise and in effect try to

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<sup>613</sup> Hedley, *Free Seats*, p. 68.

<sup>614</sup> *Ibid*, p. 70.

<sup>615</sup> *Ibid*.

<sup>616</sup> *Ibid*, p. 69.

<sup>617</sup> *Ibid*, p. 70.

<sup>618</sup> *Ibid*.

<sup>619</sup> *Ibid*.

<sup>620</sup> *Ibid*.



impose a more standardised (internal and external) design which aligned very much with the prevailing ideas and beliefs common to those of the High Church tradition.

### ***The Theology of Place vs. Space***

In her 1837 essay *Spirit of Religion* Harriet Martineau argued that churches came of religion, not religion of churches,<sup>621</sup> that the buildings themselves were devoid of true meaning unless those frequenting them consciously subscribed to the tenets and doctrines of Christianity (specifically Anglicanism in this case). For Martineau, a Unitarian by background who would develop increasingly atheistic beliefs later in her life, religious practice was conceived as a largely individual commitment to the search for truth and meaning. Not unsurprisingly for the high churchmen of the Commission and Society, such a voluntaristic understanding of religion was directly at odds with both the concept of an Established Church and, taken to its logical extent, the notion of an organised religion in general. For those actively engaged in the church building programme, individual spiritual fulfilment formed only one part of the meaning and function of religion. The Rev'd Richard Yates set out this more expansive understanding of its purpose in his *The Gospel Kingdom Considered*<sup>622</sup> when he declared that the role of the Church was the "...promoting the advancement of the spiritual dominion of our blessed Saviour"<sup>623</sup> through which to effect "...the individual and national improvement and, by securing the civil and religious liberties of all under its influence conduces to the welfare of states."<sup>624</sup> Yates went on to define the

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<sup>621</sup> Martineau, Harriet. "Spirit of religion." 1837. Quotidiana. Ed. Patrick Madden. 12 Feb 2007. 03 Jan 2022 <[http://essays.quotidiana.org/martineau/spirit\\_of\\_religion/](http://essays.quotidiana.org/martineau/spirit_of_religion/)>

<sup>622</sup> Yates, R. (1818) *The Gospel Kingdom Considered* (London, Rivington).

<sup>623</sup> Ibid, p. ii.

<sup>624</sup> Ibid.

parochial minister as being "...instruments of security, stability and general good to the Nation."<sup>625</sup> The Christian religion, as it was conveyed by the Church of England; which Yates regarded as being "...nearer in Spirit and Doctrine to the primitive and apostolic Church,"<sup>626</sup> was but a vehicle, or mechanism through which to positively affect the character of the people; both corporately and individually, by the creation and habituation of a common framework of behaviour through church attendance and the careful ministrations of the parson. Religion, and its agent the Church, was about establishing the basis and putting in place the structures necessary for the functioning of a stable human society. It was an understanding that very much informed the



Fig.

design codes for the external appearance (functional and without unnecessary ornamentation) and internal organisation (a fixed and uninterrupted view eastward to both preacher and altar) favoured by the Commission and the Society. If the testimony of a Hampshire

squire is to be believed, with the construction of the Commissioner church in Bransgore in 1823 (pictured below) came a genuine revolution in the morals and conduct of this community. He stated that "...our numerous populations heretofore consisted, in very great degree, of smugglers, poachers etc...The Sabbath which heretofore was really a carnival – spent in boxing, riot, and debauchery, is now a day of order, repose, and solemnity; the public worship of the Church is regularly attended, morning and evening, by multitudes...a cleanliness of person succeeds to filth and

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<sup>625</sup> Ibid, p. vii.

<sup>626</sup> Ibid, p. ii.

neglect, and an exhibition of perfect respect to superiors is never wanting.”<sup>627</sup> He thus evoked the concept of the Church as a ‘civilising’ agent.

How then are we to relate this argument to the broader discussion of identity? To do this, a useful approach is to set it within the context of spatial theory. This is best understood as the conceptualisation of places – whether districts, streets buildings or even individual rooms – not as ‘passive’ constructions but actually created and sustained “...by the routines and practices of purposeful human agency.”<sup>628</sup> This is an academic approach which has traditionally been divided between those advocating for ‘structuration’ (e.g Anthony Giddens) which points to certain ‘structuring properties’ that bind together spatial practices to form social systems or common ways of life.<sup>629</sup> These properties can include the political, economic and legal, but also what are referred to as ‘symbolic orders.’ These are those less overt networks, or signifiers, of meaning that help to regulate social conduct. Opponents of this analysis argue that it is too rigid and systematic and therefore difficult to apply to scenarios without the risk of being reductive. Instead, those like Doreen Massey favour a more dynamic conception of space. Outlined in her *For Space* (2005), Massey identifies three central features which undergird this view. Firstly, that the construction of space is through interrelations and interactions, from “...the immensity of the global to the intimately tiny.”<sup>630</sup> Next, that there remain multiple possibilities for any one space which can operate concurrently. And because of this, space is in a constant state of construction, it is never completely ‘finished.’ Massey asks us to imagine space “...as a simultaneity of stories so-far.”<sup>631</sup> Drawing on the work of French social scientist Michel de Certeau,

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<sup>627</sup> *Church Building Commission Minute Book*. 16, pp. 151-158.

<sup>628</sup> Giddens, A. (1984) *The Constitution of Society* (Oxford, Blackwell).

<sup>629</sup> *Ibid.*

<sup>630</sup> Massey, D. (2005) *For Space* (London, Sage), p. 9.

<sup>631</sup> *Ibid.*

it is possible to conceive of these opposing analyses as being between the advocates of 'place' and those of 'space.' 'Place' is defined as being ordered in accordance to relationships of co-existence. It is a location in which there is a fixed (or 'proper') set of acknowledged rules where the elements taken into consideration are beside one another, each situation in its own 'proper' and distinct location, a location it defines. A place is thus an instantaneous configuration of positions. It implies an indication of stability.<sup>632</sup> Whereas the definition of 'space' is one that takes into consideration "...vectors of direction, velocities, and time variables."<sup>633</sup> It is the location of a number of intersecting, moving elements. It is essentially created by the movements deployed within it. "Space occurs as the affect produced by the operations that orient it, situate it, temporalise it, and make it function in a polyvalent unity of conflictual programmes or contractual proximities."<sup>634</sup> In short, space is a practiced place. Thus, the street geometrically defined by urban planning is transformed into a space by walkers. In contradistinction to the place, it has thus none of the univocity or stability of a 'proper.'<sup>635</sup>

Using the definitions of 'place' and 'space' put forward by de Certeau, one can identify a parallel between the High Church design principles favoured by the Commission and Society with the creation of churches which through their external appearance and internal organisation sought to create a 'place' in the fullest sense of the word. It was a location in which the intention was to advance and embed a fixed set of societal norms on a community which was itself geographically defined through the parish structure. There was to be no notion of individual agency in the formation of one's

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<sup>632</sup> de Certeau, M. (1988) *The Practice of Everyday Life* (Berkeley, University of California), p. 117.

<sup>633</sup> Ibid.

<sup>634</sup> Ibid.

<sup>635</sup> Ibid.

attachment to the community, like the transference of Anglican teaching from the pulpit one was to be in receipt of an identity as defined by the institutional structures of the parish; at the centre of which stood the physical edifice of the church building. It was a corporate, or communal, identity which was replicated (in theory) nationally through the Church. However, in making this argument, we inevitably encounter the charge that the rigidity of such a model definition is simply not sustainable when applied to historical reality. The High Church principles inherent in the designs for new churches brought forward by the Commission and Society were not new ideas, arguably they had been apparent since the time of the Reformation only less clearly or deliberately defined as such. The question we have to consider is that if this model was so unstable how then did it survive as both a lived reality in many parishes, and as an ideal, into our period? In order to answer this, we need to turn to the work of contemporary theologian and prelate Andrew Rumsey on the Anglican theology of place.<sup>636</sup> Rumsey argues that in order to do justice to the concept of place it is necessary to try to pursue a route through both the 'structured' and 'fluid' (those usually associated with 'space') narratives and instead look to keep the two in a state of creative tension. As a means of doing so, Rumsey points to an approach which focusses on, in the words of French sociologist Pierre Bourdieu, the habitus or personal routines and preferences that govern rhythms of everyday behaviour. Through the study of ordinary ways of life, such as where people choose to shop, or the localities we might avoid or gravitate towards, "...all conspire to produce a particular quality of place that would be otherwise, had we made alternative choices."<sup>637</sup> This focus on social behaviours of the micro-level allows to a certain degree for the reconciliation of the 'structured'

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<sup>636</sup> Rumsey, A. (2017) *Parish, An Anglican Theology of Place* (Norwich, SCM Press).

<sup>637</sup> *Ibid*, p. 72.

versus 'fluid' juxtaposition as it both fixes but at the same time liberates the individual agent from their immediate place. Although operating in a place, one remains able to exercise choice which was not necessarily tied explicitly to the boundaries of that place. It is here the function of the parish as both administrative body and as validating authority becomes important. As has been explained elsewhere in this study, for the individual resident of a parish community their attachment and engagement with the Church went far beyond the purely 'religious' activities of Sunday worship. The parish organisation was set up in such a way that the church, or at least its minister, had a ubiquitous role in almost every element of day-to-day life within the community, and in the life of every individual within that community; identity with the Church could be established in multifaceted ways. One could be a purely 'secular Anglican' as well as a truly 'confessional' one. Such a flexible and inclusionary understanding of membership provided enough of the 'fluid' element within the highly structured 'place' of the Church-centred parish for the idealised and superficially rigid High Church vision of society – as presented in its favoured church design – to be sustainable as a model; however imperfect.

Where this fell down of course was when the delicate compromise between the structured 'place' and those 'fluidising' elements which helped to make it sustainable began to be pulled apart. It is here we bring in considerations of 'space.' Firstly, with the 'secular' parts of the model. The 1830s saw the reform and gradual divestment of many of the key administrative functions for which the parish had once possessed a monopoly of responsibility. For example, the Poor Law Amendment Act shifted oversight of the care and management of the poor to remote Union Boards to which individuals could be directly elected. Similarly civil registration of births, deaths and marriages established an alternative basis of legal validation to that of the Church-

centred parish. And the increasing shift towards the 'Select Vestry' served to alienate a significant number from the Church-centred parish as it became captured by a sectional interest. To a varying extent, and for subsequent generations, these secular attachments to the Church-centred parish had been severed and with this the automatic assumption of an institutionally (or 'place') derived identity morphed into one that was discretionary and positive. The confessional Anglican identity, at least in terms of its more secular activities, had been converted into a 'space' into which the individual had to step into and declare their attachment.

On the more overtly 'religious' or 'spiritual' side of the model the efforts of Commission and Society to introduce a greater High Church uniformity into church design, not only went against the hitherto accepted approach of churches being built according to its specific local geographical and historical context; which helped to enhance the sense of familiarity and ownership of the parochial community, but also through the subtle influence that the High Church design exerted over the style of worship delivered from these churches. This only served to reinforce the sense that for those individuals hoping for a more thoroughly comprehensive or transformative spiritual experience that the parish churches really had little to offer in satisfying these desires and that they had better fall back upon their own initiative, or seek succour through an alternative form of Christian ministry (not necessarily instead of, but certainly alongside that of the parish). What these individuals craved above all else was the active subversion of the inhibiting structures of 'place' (and the style of worship which it encouraged) that they sought through their religious devotions. They came to reject for the most part the notion that in the organisation of society through 'place' (a Church-centred parish structure and its associated churchmanship and theology) that the will of the divine was made manifest on earth. They considered the act of merely meeting

the expectations, or 'fitting in,' to existing society as being one which deliberately suppressed the individual will to listen and respond to God's calling. Worship through 'place' (to use the Marxist parlance) served only to alienate the person from their own experience of the divine in favour of an inert (or banal) pre-prepared formulary of engagement to which the individual was obliged to interact. What they desired was to up-end this conception of the divinity of 'place' (heaven on earth) in favour of the creation of a liminal, or transitional, 'space' in which they were deliberately removed from the lived reality of the temporal world so as to establish an interaction with the divine that was both personal and authentic. 'Place' was not heaven, but through 'space' one might gain a glimpse of it.

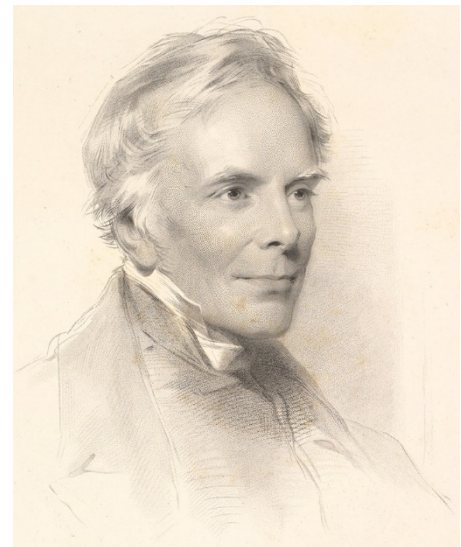
Now for those attracted to the form and expressions of worship offered by the Evangelical movement, there were options both within and without the Established Church to which they could find such a connection. Indeed, the highly individualised and internalised nature of the doctrines associated with Evangelical theology allowed for a greater level of tolerance for more traditional forms of worship associated with the High Church in as much as they did not preclude or negate such doctrines. Although some inevitably sought a greater level of positive expression of such doctrines which could be more adequately satisfied among the growing forms of Dissent. There were others though who came increasingly to believe that the church (both institutionally and parochially) should no longer be regarded as merely an extension, or even an integral part of civil-secular life; plagued by the carnality and worldliness which Evangelicals found so helpful as foils in their personal battles for salvation, but rather to be deliberately set apart as a truly divine and sacred 'space.' It is group that would become the most influential on bringing about an evolution in



church design, and with it a powerful ethos of change during the latter part of the nineteenth century.

...The point really to be considered is, whether, according to the coolest estimate, the fashionable liberality of this generation be not ascribable, in a great measure, to the same temper which led the Jews voluntarily to set about degrading themselves to a level with the idolatrous Gentiles? And, if it be true anywhere, that such enactments are forced on the Legislature by public opinion, is Apostasy too hard a word to describe the temper of the nature?<sup>638</sup>

So preached John Keble at the Assize Sermon before St. Mary's College, Oxford in 1833 attacking the Whig Government's cleaving to demands for the legislative reform of the Church as amounting to an act of national apostasy. This now notorious sermon is often cited as marking the beginning of the Tractarian movement; a specific episode within a wider Anglo-Catholic tendency which was becoming apparent within the Church by the end of our period. Encompassing theologians, antiquarians and ordinary lay-people, the movement emerged from the same seam of dissatisfaction with the contemporary form and style of religious worship; normally denominated High Church, common during the latter part of the eighteenth and early nineteenth centuries, which spawned the Evangelical movement. However, although both groups shared a common diagnosis of the problem, they departed quite distinctly as to how to remedy this deficit in spiritual ardour. The Evangelical solution was very much to downgrade the importance of the



(Fig. 16.) *The Revd John Keble*  
(1792-1866)

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<sup>638</sup> Keble, J. (1833) *National Apostasy* (London, Rivington), p. 16.

outward signs of religious observance enacted in a corporate manner in favour of a far greater emphasis on the direct relationship between the individual and their own personal path to salvation. Worshipping as a community was still important, but the act possessed little spiritual value in and of itself beyond serving to encourage each individual in their own journey of faith. This was quite the opposite to those in the nascent Anglo-Catholic movement who saw the key to a reinvigorated Church through the re-connection with the outward and visible demonstrations of faith which they felt had been a feature of the medieval church. They believed that the most effective route to establishing a true relationship with the divine was to be found in the multi-sensory experience captured in the ancient and symbolic rituals and ceremonies of the pre-Reformation era. By their very nature these acts emphasised the centrality of the corporate act in which all were called equally to take part and to receive benefit. Using the metaphor of the battle between free seats and the enclosed pew, the contemporary Anglo-Catholic clergyman, architectural writer and scholar, John Mason Neale, defined the difference in approach between the two church parties as "...the Catholic principle against puritan selfishness."<sup>639</sup> These were principles and beliefs which translated quite literally into an architectural form.

Probably one of the earliest examples of this is the Church of St Mary and St. Nicholas, Littlemore (Oxford), which was constructed in 1835-1836 at the behest of John Henry Newman; the central figure within the emergent Tractarian/Anglo-Catholic movement. A few weeks after the formal consecration of the new church, Newman delivered a sermon in which he sought to fundamentally reframe the understanding of buildings; interior and exterior, as being themselves essentially theological constructs. At Littlemore, Newman wanted his parishioners to see not a building but a religious tract

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<sup>639</sup> Ibid, p. 64.

wrought in stone and glass. He declared that his objective was to "...turn this Church into a book, a holy book, which you may look at and read, and which will suggest to you many good thoughts of God and heaven."<sup>640</sup> Walking his listeners through the tiny building, Newman carefully picked out the salient features of the structure and ascribed it with its 'proper' theological meaning. For example, the three windows over the altar which; as with the three aisles at the St. Mary's, the University Church in Oxford (for which the Littlemore church was intended as a chapel-of-ease), he took to typify the Trinity, and the cross over the altar as the vision of Christ Himself.<sup>641</sup> Newman preached that,

Thus, I say, at first sight on a person's entering the Church and again, when he takes his place and looks straight before him, he is reminded of the two great doctrines of the Gospel, the Trinity and the Incarnation; three windows intimating the Trinity, and the Cross still more plainly Christ's Incarnation on becoming flesh and dying for us. <sup>642</sup>

But such allusions would be taken still further by Newman. In addition to the Trinity, the three windows also signified the three sacraments of baptism, confirmation and Holy Communion, and also the three virtues of faith, hope and charity. The seven arches under the windows were as the seven days of creation (similar to the seven niches over the altar at St. Mary's University Church) and the 164<sup>th</sup> verse of the 119<sup>th</sup> Psalm: "Seven times a day do I praise thee because of thy righteous judgments."<sup>643</sup> And the fact that there was only one entrance pointed to Christ as the only door to salvation.<sup>644</sup> Newman, and his fellow reformers, wished to advance a theory that ecclesiastical architecture was no longer an exercise in bricks and mortar, nor merely

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<sup>640</sup> Whyte, *Unlocking the Church*, p. 33.

<sup>641</sup> Ibid.

<sup>642</sup> Ibid.

<sup>643</sup> KJV

<sup>644</sup> Whyte, *Unlocking the Church*, p. 33.

as a convenient location for the housing of the community for the purposes of religious instruction. Instead, the buildings were modes of communication in themselves.<sup>645</sup> Writing in 1837, the architect William Bardwell argued that church buildings were to be regarded themselves as "...witness to the truth of the invisible world, of which they are, in every part, the symbol and the type. [Every church tower] that rises between the trees is a hieroglyphic of the word GOD."<sup>646</sup> It was an analysis which found enthusiastic support among leading figures within the church hierarchy. Henry Manning, the future Catholic Archbishop of Westminster, but then Anglican Archdeacon of Chichester declared in his 1842 Charge to the Diocese that, "We are on our way to recover the true theory and practice of Divine Worship, and to recognise the symbolical order of our churches and the emphatic meaning of the architecture, and the relation of all that is costly, beautiful and majestic in forms and harmonies with the Worship of Almighty God."<sup>647</sup> Churches were no longer to be merely places of worship; vehicles for the passive (or banal) transference of accepted doctrine. Rather, they were to be conceived as 'spaces of faith;' locations in which the entire structure formed an integral part of the devotions as much as the attendant ritual and liturgy so as to create a far more dynamic and positive relationship between the individual and the divine. Newman's denaturing of architecture has been described by at least one scholar as 'revolutionary and transformative,'<sup>648</sup> and it was to gain more and more traction as the century progressed. Through the auspices of groups like the Cambridge Camden Society and the Oxford Society for Promoting Gothic Architecture; both formed in 1839 as associations of undergraduates interested in ancient Gothic church

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<sup>645</sup> Ibid, p. 35.

<sup>646</sup> Ibid, p. 55.

<sup>647</sup> Manning, H. (1842) *A Charge Delivered at the Ordinary Visitation of the Archdeaconry of Chichester in July* (London), p. 10.

<sup>648</sup> Whyte, *Unlocking the Church*.

design, this radical new approach became strongly allied with the advancement of this specific form of architecture; one that was believed to best satisfy the requirements of this immersive environment. It was an advocacy which soon permeated the wider church building effort. In the same year as Manning delivered his Charge on symbolical architecture the Society revised its *Suggestions and Instructions* which now advised “No style seems more generally suitable for an English Church than the Gothic of our own country, as developed in its successive periods...The Society earnestly recommends that in the proportions and great features, as well as in the details, good ancient examples should be closely followed.”<sup>649</sup> In time, this same influence would come to characterise the Commission’s work also. But such effects were not confined to architectural principles alone. The growing sense of the communicative power of the material world promoted a new consideration of the importance of the internal environment of the church. There was now a far greater interest in the type and style of church fittings and fixtures; for example;

The Lord’s Table should be raised two or more steps above the floor of the chancel, which should be raised a step or two above the floor of the nave. Where the rails do not extend across the chancel, no seats should be allowed between the rails and the north and south walls; and as much room as possible should be left about the rails for the access of communicants.<sup>650</sup>

One enthusiast wrote that; “There is not a single article of Church furniture which does not teach its special lesson; which is not a sign of some deep, full, abiding truth; - which is not a messenger.”<sup>651</sup> The architect Augustus Pugin remarked; “One of the great beauties of ancient embroidery was its appropriate design; each flower, each leaf, each device had a significant meaning.”<sup>652</sup> Candle-sticks, gold and silver plate,

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<sup>649</sup> Hedley, *Free Seats*, pp. 70-71.

<sup>650</sup> *Ibid*, p. 71.

<sup>651</sup> *Ibid*.

<sup>652</sup> *Ibid*.

tapestries, frescos, stained glass and statuary, all things which the Reformation had banished from many an English Church were now slowly returning to many churches across the land. Even the person of the cleric himself took on a more striking appearance with the wearing of increasingly elaborate vestments and partaking in an enhanced ritualism.<sup>653</sup> Like the denaturing of the building itself, the conceptualisation of simple fixtures and fittings via the symbolist prism serves to further demonstrate the shift from the church as 'place' to one that was very much more a 'space.' These were objects which were no longer bound by their simple use-value, but rather each and every element had ascribed to it a depth of meaning which took one beyond the mere superficial and customary towards a more authentic and personal relationship with that object. This included the individual understanding of identity.

Overton has estimated that between 1818 and 1833 the Commissioners spent around six million pounds on building and enlarging churches. By 1838, 225 'Commission Churches' had been constructed.<sup>654</sup> When combined with the efforts of the Society, church accommodation had been increased by more than a million places of which nearly half were free sittings. Yet despite such huge investment in the church infrastructure the increase in population during this same period meant that, even with the additional sittings, the Church was only able to offer space for roughly a quarter of the population at any one time. As to the impact of the 'Commission Churches' in shoring up the position of the Church and in the winning of more souls for Christ, the evidence is at best inconclusive. The situation was not so clear-cut for the The Ven. George Wilkins, Archdeacon of Nottingham. Whilst he was glad to welcome large congregations at the newly completed St. Paul's Church, George Street (sometimes

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<sup>653</sup> Ibid, p. 62.

<sup>654</sup> Port, *Six Hundred New Churches*, p. 126.

in excess of 1200), he complained that every Sunday some pews continued to go unfilled which meant that he would have to do without the pew-rents which these seats attracted. As a consequence of this, the curate that he employed was having to be subsidised as the revenue from St. Pauls was not enough to cover his stipend. This state of affairs could not go on indefinitely and therefore the Archdeacon felt that he had no choice but to close the church (this did not actually happen until 1924). Elsewhere there were reports that congregations were declining "...because the position of the pulpit made it difficult to hear the preacher throughout the church."<sup>655</sup> And, in other areas, complaints were heard that the poor did not attend at all. A reviewer candidly observed in 1840 that; "The vast Ionic and Corinthian temples built twenty years ago, though inviting the multitude with all the eloquence of porticos, cupolas and handsome iron palisades, are, after all, frequented almost exclusively by persons who could well have afforded to build the churches out of their own pockets."<sup>656</sup> In essence, there were instances where state money was being used to underwrite middle class aspirations whilst at same time effectively excluding the very masses for which the policy of church extension was originally intended.

And it is in this criticism of the policy that we are able to get at the very heart of the relationship between the church building programme, and the Anglican Confessional identity. For those High Church conservatives who initially dominated the church building programme, the greatest emphasis was to be on basic functionality, the reinforcement of pre-existing social relations and the rooting of the church within a defined geographical boundary. All of these are structures and principles associated with the creation (or replication) of a 'place.' In their understanding, the Church-centred

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<sup>655</sup> Ibid.

<sup>656</sup> *The British Critic*, XXVIII, p. 481 (1840).

parish continued to represent the most effective mechanism or not only maintaining social order, but in actually establishing the fundamental pre-conditions upon which a stable human society was able to operate and develop. The Church, like Jesus Christ Himself, was the Prince of Peace and only through peace could man be brought to salvation. Anglicanism (as the most perfected form of Christianity) was, in its High Church form, conceived as a theology of 'place.' Identity then, like all other aspects of existence, was also defined and formed through structures and institutions of the 'place.' To be a Confessional Anglican was essentially to be a product of this 'place.'

Referring back to the critics' argument that the church building programme was actually something of a middle-class rip-off (to use the vernacular), and the continued association between the Church of England and the middle classes, is perhaps reflective of the fact that among those socio-economic groups for whom the institutional structures of 'place' served to support (or protect) their aspirations there was a continued attachment to this understanding of church and, crucially, of identity. But for those outside of these groups, there existed little enthusiasm for attachment to a 'place' which came to be perceived as being designed solely for the purpose of ensuring the continued existence of an institutional framework which prioritised the interests of only one section of society. With the creation of parallel sources of validation outside of the Church-centred 'place' and with the emergence of alternative forms of religious expression, there existed the possibility of asserted agency over one's identity in a way that had not been possible before. The emergence of the Anglo-Catholic movement; and its manifestation through a more symbolistic architecture was, at least in religious terms, one expression of such a desire to break free of the theology of 'place.' Rather, what they wished to create a 'space' which allowed for a freer, purer and more authentic religious experience; it favoured a divine



egalitarianism; and it was at least in part disaggregated from the strictures of parochial geography. This was about the self-declared ownership and expression of a faith not within *the community*, but within a gathering of likeminded believers.

Now of course the emergence of such a tendency within the Church of England itself did allow for the continued accommodation of many within the fold, but the use of the term 'Confessional Anglican' to describe even these individuals was now rendered largely invalid. 'Confessionalism' is defined by the conscious adherence to an agreed doctrine. With the emergence of the Anglo-Catholic movement, Anglicanism came to mean different things to different groups (both within and without the Church). Paradoxically, Anglicanism as a theology of 'place' had now become, in part through its own making, a theology (and an identity) of 'space.'

## Conclusion

Behold a rural green, encircled by cottages, and embosomed in wood-crowned hills. Each humble dwelling stands in the midst of a garden rich in vegetable store, and gay with the many-coloured tulip...The green gradually ascends the side of the narrow valley, and, on the right on a sloping lawn, gay with laburnums...stands a low irregularly built house with gable ends and tall chimneys. It is the Parsonage...On the lawn, and separated from the garden...stands a very small church...while around are scattered the humble but neat graves of the peaceful villagers. A road winds round the upland green to the wide gates of the mansion-house, an ancient Elizabethan Hall.<sup>657</sup>

The Disraeli's bucolic image of the village of Hartlebury maybe a work of highly idealised fiction, but it is in this very literary idealism that can be found a useful encapsulation of the concept set at the heart of this thesis. Set before the reader is the vision of a rural community, at the very centre of which is not the aristocratic seat of power, but the parsonage and 'a very small church' set among the graves of the past generations of that community. There is clearly a topographical motif which speaks to a sense of ascending status within that community, but it is the strategic positioning of the church as being mid-way in that ascending hierarchy which points to its significance. Whether great squire or lowly labourer both would meet the institution on equal ground; equidistant between humble cottage and palatial mansion.

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<sup>657</sup> Disraeli, B & S. (1983) *A Year at Hartlebury, or The Election* (London, John Murray), p. 3.

It was a place which touched almost every aspect of the individuals' existence; an experience shared by the entirety of that community. From an administrative perspective, it was the common location of valid personhood through baptism, it was the popular legislature and it was where all could find a place of eternal rest. It was in possession of the community, and at the same time that community's custodian. While in the spiritual, from its pulpit that community would hear an incumbent preach a message of "...grace to the fallen man...piety...without fanaticism...[and] charity...universal."<sup>658</sup> An inclusivist theology conjoined with a ubiquitous non-discriminating institution created the banal reality of the Church-centred parish. To be a product of this 'place' was to be defined as, and identified with being a 'Confessional Anglican.' By the time that *A Year at Hartlebury* (from which the above is an excerpt) was published in 1834 this vision of the Church-centred parish, and with it the Confessional Anglican identity, was becoming one that was fast receding into obsolescence. The idealised Church-centred parish community, if it had ever existed quite so idyllically as conceived in the Disraeli's novel, was being steadily eroded by changes within the Church of England internally and through the increasingly systematising tendencies of the central State. The overarching aim of this study has been to examine the key drivers for the breakdown of this construct, and to offer some commentary on the impact on how the Anglican's Church perception of belonging and identity changed during the course of this period, and the resulting impact on its continuing relationship to the State and national identity.

The enduring strength of Anglicanism throughout our period lay in it being the structure which sat at the heart of a framework of existence. It was conceived as an institution indivisibly civil and spiritual. Pre-1838, the Church-centred parish was believed to be

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<sup>658</sup> Ibid, pp. 4-5.

the living embodiment of the concept of the 'social man'; a community of men and women living bound together and regulated by a commonly held set of rules and behaviours, the purpose of which was mutual support and protection. At the very crux of this conception of mutuality of benevolence and identity was its universal nature; it was a standard of behaviour expected of all, for the benefit of all. It was the place where one affirmed their commitment to, and identity with, the broader community. Indeed, it was the aggregation of Church and parish which provided the principal vehicle for the development, articulation and defence of a culture of local self-government. Fundamental to the strength and stability of this system was in its conception as a communal institution. The Church-centred parish was understood to be a mechanism for the organisation of society which was legitimised through community-specific customary and inherited practices and one that was constantly re-validated by (the possibility of) the popular participation of members of that community. Even in the State-led attempt to increase seating capacity through the construction of new churches, the overriding design principle (at least initially) was in the creation (or replication) the ideal of the Church-centred parish. That was a 'place' that was rooted within a defined geographical boundary and helped to reinforce pre-existing social relations. Both lay and ecclesiastic continued to believe that the Church-centred parish represented the most effective means of not only maintaining social order, but in actually establishing the fundamental pre-conditions upon which a stable human society was able to operate and develop.

The key elements in the ideal; communality, banality, aggregation and 'place' would each in turn come under sustained challenge to the extent that it fundamentally compromised the ideal of the Church-centred parish, and the identity associated with it. The impact of the Poor Law Amendment Act undermined the concept of mutual

belonging and equality of worth as the poor were now to be forcibly segregated from the parish community in order to seek relief. In baptism, the sustained Evangelical challenge to the prevailing Neo-Arminian doctrine of salvation fundamentally shifted presumed communal equality, to a spiritual meritocracy in which the space of the church was increasingly to be reserved only for those who positively identified with these new (distinctly non-banal) spiritual demands. This was combined with the introduction of the Civil Registration Act which, for the first time, created a mechanism for the acquisition of a valid legal personhood outside of the institution of the church. The popularity of grave-marking; itself driven by an increasing materialism, changing attitudes to physical remains and a growing population, led to the forcible shift of the burial ground from being a place of an implicit communalism into an area of contested space in which the explicit assertion of identity became the dominant requirement for use. In choosing to legislate to more firmly tie ministers to their parishes, the Church further shifted the balance of perception away from the banal and into the positive. Newly resident ministers now felt obliged to take more direct control over matters spiritual and parochial. Residency bred greater willingness to challenge deviant behaviour, including that which had long been customarily accepted by both Church and community. A relaxed interdenominationalism gave way to a pressure to establish more distinctive identities. The increasing turn by Church and State (to varying degrees of willingness and enthusiasm) against the customary and inherited by a policy approach which favoured the objective over the specific and the rationalistic over the traditional steadily replaced the communal parochial institution with an imposed central structure. Anglicanism (as was believed to be the most perfected form of Christianity) was conceived as a theology of 'place.' Identity then, like all other aspects of existence, was also defined and formed through structures and institutions

of the 'place.' To be a Confessional Anglican was essentially to be a product of this 'place.' But there was little enthusiasm for attachment to a 'place' which came to be perceived as being designed solely for the purpose of ensuring the continued existence of an institutional framework which appeared to now prioritise the interests of only one section of society. With the creation of parallel sources of validation outside of the Church-centred 'place' and with the emergence of alternative forms of religious expression, there existed the possibility of asserting agency over one's identity in a way that had not been possible before. The emergence of the Anglo-Catholic movement; and its manifestation through a more symbolic architecture was, at least in religious terms, one expression of such a desire to break free of the theology of 'place.' Rather, what they wished to create a 'space' which allowed for a freer, purer and more authentic religious experience; it favoured a divine egalitarianism; and it was at least in part disaggregated from the strictures of parochial geography.

Whether through benign neglect or active collusion, the Church's position as guardian of community identity, customary practice and popular participation in local administration steadily gave way to the perception that in parochial affairs the Church had become just another agent of the State structure largely designed to serve the will of a controlling sectional interest alone. Christianity, as expressed in its Anglican form, was no longer a common confessional doctrine but rather became a point of reference in which the individual became increasingly aware of a more distinct range of offers outside of the framework of the Church-centred parish through which they could find greater satisfaction of their civil and spiritual needs. If the Anglican Confessional construct had envisioned the basis of the stable polity to be a sacral conformity, what would steadily come to emerge in its place was a concept in which constitutional order was instead affected through the institutionalisation and sacralisation of diversity

through the transcendentalisation of the purely non-ecclesiastical institutions of the state; for example, the Monarchy, Parliament and (to a certain extent) the Empire. A construct defined as 'the nation.' The identification with such a concept allowed for the pursuit of an individual sense of identity (as expressed religiously), but at the same time engendered participation in a corporate vision of wider society.

Unlike those associated with the 'modernist' school of historiography: Gellner, Hobsbawm, Breuilly and Anderson, this argument seeks to challenge the narrative that identity was forged by a secular nationalism that stepped into a void left by a declining religiosity. This thesis argues that such an approach is highly problematic, at least in the English context, in that although the breakdown of the Anglican Confessional construct did indeed fracture the notion of the indivisibility of God and the State, this disruption was not driven by a desire to overthrow religion but was rather due to the shortcomings of the Anglican form of Christianity itself. This was not the secularisation of the State, merely its de-sacralisation. The Established, or State, religion had become compromised for a range of different groups in varying ways and extents and had therefore ceased to possess sufficient authority to maintain its position as a divine institution. The response however was not necessarily wholesale disaffection but rather the conscious and active desire to explore alternative expressions of faith both within and without the Anglican tradition. This situation the State would steadily move to accommodate through the adoption of a role as a kind of pantheon, in other words it moved from being a divine institution in of itself to that of a sacred canopy under which all expressions of religiosity could find a place. This challenge to the 'modernist' narrative can be taken further when one acknowledges that even with the formation of new spiritual attachments this did not mean a wholesale rejection of the Anglican Establishment as manifested through the Church-centred parish. Even with the

development of alternative secular State agencies, there existed (and continues to exist) a belief in the Church-centred parish as being the place of corporate validation of important life events ('hatchings, matchings and dispatching'). Although only nominal, the continued loyalty to and identification with the Establishment reflects the inability of the State alone to replicate that simultaneous multi-lateral engagement with the individual, the community and the nation at-large necessary to create a sufficiently comprehensive notion of identity. Colley similarly fails to give appropriate regard to significance of the Church-centred parish as a focus point for identity. For although she does acknowledge the importance of religion in the creation of identity, Colley neglects to consider the importance and relevance of the sheer ubiquity of the parish concept in favour of reference to other usually secular or non-parish related organisations as centres of identity construction. Whilst such affiliations were undoubtedly important in providing mediums through which individuals and groups were able to engage and identify with supra-parochial institutions like the Church & King Clubs, the county militia, or with trade associations/unions or mutual benefit societies, the principal organisational unit for the mobilisation and recruitment to such groups remained the pulpit of the parish church, the vestry meeting and the networks of professional and social relations fundamentally grounded in the parish community. Appeals to abstract ideals (like Church & King), defence from invasion or agitating for the organisation of labour were to a great extent reliant upon the presentation of the argument through the prism of the parish. The threat of revolution was conveyed not as a great ideological battle but as the overturning of the Church-centred parish and its institutions. An appeal to the defence of 'England' from invasion was presented as the defence of the parochial community from the ravages of the enemy. If Colley



looked to discern the 'birth of the nation' that confinement was only possible through the attendance of the Church-centred parish as midwife.

Of course it has to be acknowledged that, unlike Colley, this thesis confines its observations to an England-only context, and that the study has also avoided delving to deeply into the more complex situations in places like London where the Church-centred parish structure had already decayed badly in some places (although not in others) by the start of our period, and where there was a more well-established presence of the various Dissenting traditions and other non-Anglican centres of religious worship. Despite these obvious limitations however, I would like to contend that the arguments made in this thesis have an applicability beyond this specifically Anglican English context. The analytical framework seeks to examine the basis and formation of identity through institutions which are at their heart fundamentally religious. It is therefore possible to apply this framework to any context in which the alignment between sacral conformity and national belonging has historically been advanced, and subsequently broken down or faced significant challenge. For example, Ireland and the Catholic Church, Presbyterianism and Scotland, Russia and Orthodoxy, even America with Nonconformity. This is also possible in non-Christian settings: Japan and Shinto, India and Hinduism and the Ottoman Empire and Islam.

However, understanding the way in which religion relates to socio-political structures and the construction of notions of identity has implications beyond the historical. There is a very strong argument that the various manifestations of identity crises which is apparent today in and within the United Kingdom and elsewhere have been driven in part by the fundamental inability (or unwillingness) on the part of policy-makers to recognise a religious basis in identity construction. Indeed, significant foreign policy failures on the part of the West during the last two decades can be similarly attributable

to an absence of understanding about the interplay between religion and identity, especially in places like the Middle East. In such a context, it is often the case that religion has been used as a basis for a 'rediscovery' of an authentic identity as set against a supposedly false, imposed or corrupted identity the origin of which is located outside of the group boundary (however this is defined). Good examples are post-revolutionary Iran, Afghanistan under the Taliban and animism/shamanism in African and West Indian contexts. All represent potential avenues for future research into studies into the evolution of the post-colonial and post-totalitarian identities, but more broadly to recognise that even in supposedly post-Confessional societies, there has to be a recognition of the limitations of relying on State structures alone to create and sustain individual and corporate conceptualisations of identity.

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