



0. THE POOR LAWS - Story Preface

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The Irish countryside is dotted with abandoned homes which once provided shelter for tenant-farmers and their families (before they were forcibly ejected from their rented houses during the potato famine). This image depicts abandoned property in County Cork, near Skibbereen, an area especially devastated by "The Great Hunger." It is online via Ireland Roadways.

Contemporary journalists and English people visiting Ireland, during the time of "The Great Hunger," blamed laws passed by the British Parliament (intended to help the poor) as part of the problem.

"The dole" (as Frank McCourt describes the government's welfare system in *Angela's Ashes*) was not the only source of help for the Irish poor. "Property" (that is, landowners) were also responsible to aid those in need. Some of the landowners actually carried-out their responsibilities.

But if a landowner had no tenants on his land, what responsibility would he have to provide for anything? How could "property" be called upon to care for the poor if the "property" had no poor to care for? Thus, a way around the Poor Laws was eviction of the people who had worked the land before the potatoes rotted.

A letter dated August 11, 1849—to the editor of the *Illustrated London News*—makes the point:

By the recent establishment of the Poor-Law, relief was established to the destitute; but, instead of this law benefitting the poor, it is, in reality, desolating the land. Any poor-law, if enacted among a poverty-stricken people, who have no surplus food for themselves, only aggravates the evil. Seizures take place every day for poor-rates. The poor farmer, by this process, is unable to live himself; his land is thrown up, and he, too, is plunged into the vortex of poverty - the poorhouse.

The writer concludes the letter by pleading with Robert Peel (then the British Prime Minister) and the British Parliament to do something to alleviate the anguish. If nothing is done, he predicts

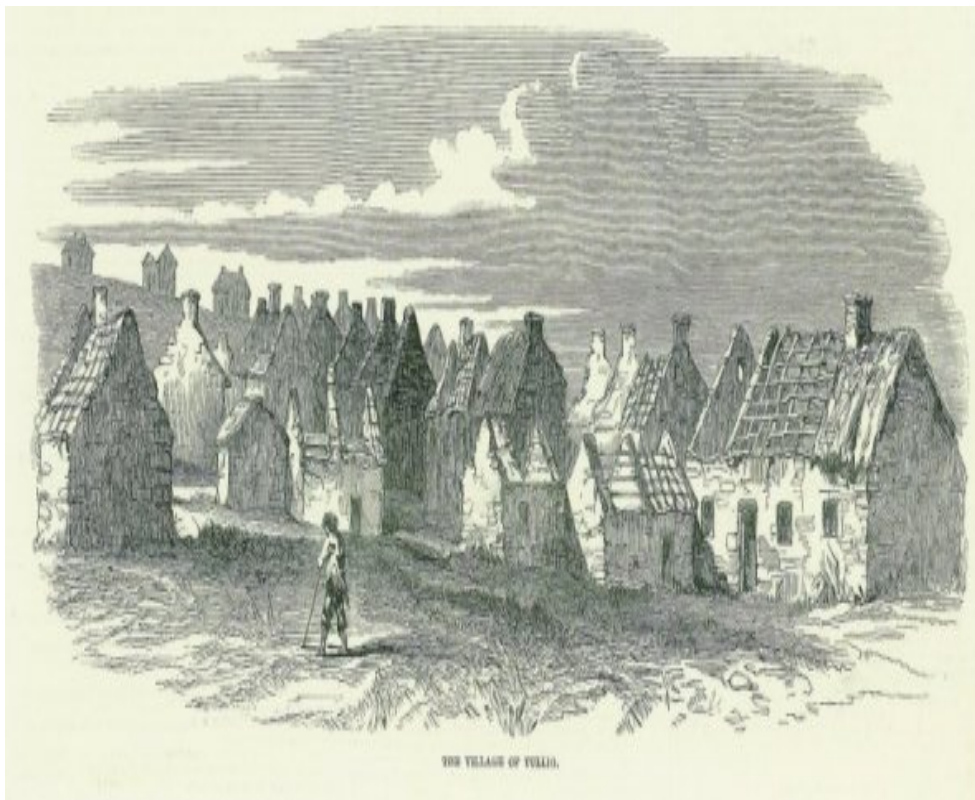
...a fearful day of reckoning is at hand

Months after that prediction, with the Poor Laws still in effect, the *Illustrated London News* (ILN) reported:

The system intended to relieve the poor, by making the landlord responsible for their welfare, has at once made it the interest, and therefore the duty, of the landlords to get rid of them. (December 22, 1849 issue of *The Illustrated London News*, at page 405.)

Not only did landlords "get rid of them," numerous landlords destroyed the very houses they owned to make sure the former home-dwellers could not return.

One way to keep tenant-farmers out was to strip dwellings of their thatched roofs. In its December 15, 1849 issue—at page 393—the *ILN* reveals homes with missing roofs in the village of Tullig (located in County Clare).



As the December 22nd issue of the *News* also points out, potato crops had failed and evictions had occurred before. What made *this* time such a calamity?

It wasn't just the Poor Laws. Follow-up government policies like "An Act for the Protection and Relief of the Destitute Poor Evicted from their Dwellings" had serious side effects:

Under such stimuli and such auspices, the clearing process has gone on in an accelerated ratio, with Ireland...now dotted with ruined villages, and filled with a starving population...

And what "a starving population" it was!

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/THE-POOR-LAWS-Great-Hunger-Irish-Potato-Famine>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/THE-POOR-LAWS-Great-Hunger-Irish-Potato-Famine>

Questions 2 Ponder

If a Law Isn't Working Should We Change It?

When Irish potato-farmers were devastated by a crop-ruining blight, Parliament passed the "Poor Laws" to help. Then landlords found a way to "game the system."

New laws made landlords responsible for destitute tenants who were living in landlord-owned homes. But ... if those landlords evicted their tenants, they would no-longer be responsible for the poor people because they were no-longer living in their homes.

And ... to make sure the former tenants did not return ... landlords destroyed the roofs of their own houses.

From stories printed in various newspapers of the time, it became clear that the "Poor Laws," intended to help the Irish peasants, were harming them.

Setting aside the morality issue (of landlords evicting people just to get around the law), should Parliament have changed the law intended to help the Irish potato-growers and their families? Explain your answer.

If Parliament had changed the law, what would the changes be?

Can We Legislate Morality?

During the Irish potato famine, desperate people needed help desperately. Parliament passed a law with moral overtones, but individuals governed by the law found a workaround.

Their workaround was to evict starving people from landlord-owned homes. In doing this, the landlords were no-longer responsible to help the people who were living in landlord-owned houses, as Parliament had required.

In assessing the Poor Laws, could we conclude that Parliament had attempted to legislate morality? Why, or why not?

Put differently ... when the landlords were refusing to help their tenants, and Parliament passed a law requiring the landlords to help, could we say that Parliament's new law was an effort to legislate morality? Explain your answer.

Robert Morrison MacIver (1882–1970, a Scottish sociologist and educator, talked about efforts to legislate morality in Chapter 5 of "[The Modern State](#)," which Oxford University Press published in 1926. He uses these words on the topic:

What then is the relation of law to morality? Law cannot prescribe morality, it can prescribe only external actions and therefore it should prescribe only those actions whose mere fulfillment, from whatever motive, the state adjudges to be conducive to welfare.

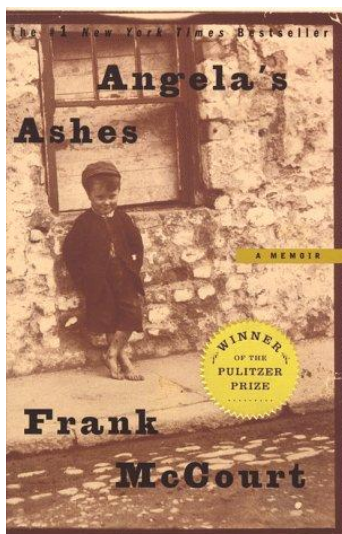
What actions are these? Obviously such actions as promote the physical and social conditions requisite for the expression and development of free—or moral—personality.... Law does not and cannot cover all the ground of morality. To turn all moral obligations into legal obligations would be to destroy morality. Happily it is impossible.

No code of law can envisage the myriad changing situations that determine moral obligations. Moreover, there must be one legal code for all, but moral codes vary as much as the individual characters of which they are the expression. To legislate against the moral codes of one's fellows is a very grave act, requiring for its justification the most indubitable and universally admitted of social gains, for it is to steal their moral codes, to suppress their characters.

Using 21st-century English, what is MacIver saying?

Do you agree, or disagree, with him? Explain your answer.

Media Stream



[Angela's Ashes - by Frank McCourt](#)

Image online, courtesy [amazon.com](#) website.

View this asset at: <http://www.awesomestories.com/asset/view/Angela-s-Ashes-by-Frank-McCourt>

Irish Landlords Destroy Homes to Evade Poor Laws

During the Irish Potato Famine, millions of Irish people were adversely impacted not just by the potato-crop failure but also by laws which were supposed to help them.

Called "Poor Laws," these measures put the responsibility for helping starving people not just on the government but also on the landowners.

Some landowners helped the poor, but others—*many* others—found a way around the laws. The landlords' work-arounds intensified the misery of Ireland's suffering poor.

If a landowner had no tenants on his land, for example, what responsibility would he have to provide for *anything*? *The Illustrated London News* made the point in an 1849 article, published three days before Christmas:

The system intended to relieve the poor, by making the landlord responsible for their welfare, has at once made it the interest, and therefore the duty, of the landlords to get rid of them.

(December 22, 1849 issue of The Illustrated London News, at page 405.)

One way to keep tenant-farmers out of their former homes was to strip them of their thatched roofs. In its December 15, 1849 issue—at page 393—the ILN reveals homes with missing roofs in the village of Tullig (located in County Clare).

We see that illustration at the top of this page.

Click on it for a better view.

Illustration from *The Illustrated London News*, published on December 15, 1849, at page 393.

View this asset at:

<http://www.awesomestories.com/asset/view/Irish-Landlords-Destroy-Homes-to-Evade-Poor-Laws>



Robert Peel

Image online, courtesy the University of College Cork website.

View this asset at: <http://www.awesomestories.com/asset/view/Robert-Peel>



A Child Helps the Poor during the Irish Potato Famine

Illustration and quote from "The Illustrated London News," 22 December 1849 issue. Online, via Clare County Library.

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