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# **The politics of poor law reform in early twentieth century Ireland**

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## **The politics of poor law reform in early twentieth century Ireland**

This working paper looks at the reform of poor relief in Dublin (the capital city of the then Irish Free State) in the 1920s and 1930s. In particular, it examines the introduction of the Poor Relief (Dublin) Act, 1929 and the role of political parties and interest groups in shaping its final outcome. This study is of particular interest in that it came in the first decade of Irish independence in a transitional phase of political and policy development. As such it took place before the political system took on the more rigid structures to be found in the mature Irish polity. It is one of the very few examples of an initiative by an Irish opposition party leading to significant change in the welfare area. In addition, the reform took place at a time when policies were moving from the more localised model of the nineteenth century to a more centralised approach (albeit that overall policy was always decided centrally) (see Crossman, 2005; 2006). This local focus shows very clearly the particular class interests at play in the Dublin reform.

### **Poor relief in Dublin**

A national poor law had been introduced in Ireland by the United Kingdom government in 1838. Although modelled on that in England and Wales it differed in several important respects including the fact that relief in workhouses (indoor relief) played a relatively

more important part in the Irish system than did outdoor relief (Crossman, 2005; 2006). Prior to 1922 when the Irish Free State became independent of the United Kingdom, the poor law in Dublin operated on the same basis as in the rest of the country. Dublin was divided into three separate poor law unions - Dublin, Balrothery, and Rathdown<sup>1</sup> - each governed by its own board of guardians appointed by the relevant local authority.<sup>2</sup>

The relevant legislation in relation to the payment of outdoor relief was the Poor Relief (Ireland) Act, 1847. Introduced during the Great Famine, this Act allowed payment of outdoor relief to limited categories of persons<sup>3</sup> but excluded able-bodied persons from any entitlement unless the local workhouse was full or unfit to admit poor persons due to fever or infectious disease.<sup>4</sup> This meant that any unemployed persons in Dublin who were not entitled (or had exhausted an entitlement) to unemployment insurance (introduced in 1913) could only be relieved in workhouses.

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<sup>1</sup> The old North Dublin and South Dublin Unions were amalgamated in 1918 and the part of Dublin in the Celbridge union was added in 1923. Likewise the parts of Wicklow in Rathdown union were detached from that union in 1923. Unlike the pre-1923 position, therefore, the post-1923 unions were confined within the Dublin county boundaries.

<sup>2</sup> As we will see, appointed Commissioners replaced the Dublin guardians in November 1923.

<sup>3</sup> S. 1 of the 1847 Act allowed relief outdoors of all destitute poor persons disabled by old age, infirmity, sickness and serious accident; and of destitute poor widows having two or more dependent legitimate children.

<sup>4</sup> S. 2 of the 1847 Act. Even where these conditions were satisfied an order of the Local Government Board was necessary to allow admission of the able-bodied.

Payment of relief outside the workhouse had long been a subject of great debate.<sup>5</sup> The original poor law in 1838 had been confined to indoor relief but outdoor relief had been introduced during the Great Famine. However, payment of outdoor relief was effectively abolished in the decade after the Famine. The level of outdoor relief payments gradually increased from 1859 on despite the opposition of the Local Government Board.<sup>6</sup> By 1913, the majority of paupers in Dublin were still relieved in the workhouse although the numbers on outdoor relief had grown significantly.<sup>7</sup>

In much of the rest of the country, major reform of the poor law occurred during the War of Independence (1919-21) with poor law unions disclaiming the link to the 'British' Local Government Board and, instead, declaring allegiance to the Dáil Local Government Department.<sup>8</sup> The Local Government Department encouraged local authorities to carry out major reforms of the poor law with the abolition of unions and boards of guardians and their replacement by a single county scheme managed by a committee appointed by the local authority. In addition, the county schemes marked a major shift away from indoor relief towards payment of outdoor relief (renamed as home assistance) to all classes of poor person.

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<sup>5</sup> See Crossman (2006, *passim*).

<sup>6</sup> See, for example, *Poor Law Union and Lunacy Inquiry (Ireland): report*, p. 1, 1878-9 (C.2239) xxxi, 1.

<sup>7</sup> Commission on the Relief of the Sick and Destitute, including the Insane Poor, *Report*, (Dublin, 1927) p. 156. About 55 per cent of paupers were in receipt of relief indoors compared to 45 per cent outdoors.

Most counties had established schemes prior to Independence in 1922 and these were given legal force by the Local Government (Temporary Provisions) Act, 1923.<sup>9</sup> Section 10 of that Act removed restrictions on the payment of outdoor relief - but only where a county scheme had been established thus not affecting the position in Dublin. Those counties - with the exception of Dublin - which had not already established a county scheme did so by 1924. Ironically, Dublin the original stronghold of Sinn Féin - with its commitment (in the *Democratic Programme* of 1919) to the introduction of a 'sympathetic native scheme' of poor relief - became the last outpost of the 'odious, degrading and foreign Poor Law System'.<sup>10</sup> The delay was later attributed mainly to the fact that radical administrative changes were expected as a result of the reports of the Greater Dublin Commission and the Poor Law Commission but it appears more likely that straightforward political interests were also at play.<sup>11</sup>

Dublin politics in the 1920s was dominated by Cumann na nGaedheal and the 'ratepayer and business' representatives who supported its policies of fiscal liberalism. At a national level, the governing

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<sup>8</sup> See Cousins (2003, pp. 24-27). For local studies see O'Sullivan (2000, chapter 3) and Fitzpatrick (1977, pp. 194-5).

<sup>9</sup> In fact, shortly after the adoption of that Act, the Minister for Local Government, Ernest Blythe, used his power to amend county schemes to replace the existing schemes with a single standard scheme.

<sup>10</sup> *Dáil Éireann deb.* vol. 1 col. 23, 21 January 1919. On the Greater Dublin Commission see McManus (2002).

<sup>11</sup> Richard Mulcahy, Minister for Local Government and Public Health, *Dáil Éireann deb.* vol. 32 col. 441 et seq., 30 October 1929.

conservative Cumann na nGaedheal party held an overwhelming dominance of Dublin constituencies with no less than 14 of the 23 Dublin seats in the three Dublin constituencies (including Richard Mulcahy TD, the Minister for Local Government and Public Health in Dublin North).<sup>12</sup> In addition two independents or 'business' candidates in Dublin County - Deputies Good and F. X. Murphy - generally supported the government. The more radical opposition Fianna Fáil was a distant second with seven deputies, including senior figures such as Lemass, Seán MacEntee and Seán T. Ó Ceallaigh. Astonishingly, the Labour party held not a single Dublin seat.<sup>13</sup> This pattern of Cumann na nGaedheal dominance can be seen throughout the 1920s (table 1)

**Table 1: Dáil representation for Dublin, 1923-32**

	1923	1927(June)	1927(Sept)	1932
CnaG	11	8	12	11
Republican/FF	5	6	7	9
Independent	4	4	3 <sup>14</sup>	2
Business Party	2	0	0	0
National League	0	1	0	0
Sinn Féin		1	1	0
Labour/Ind	1	3	1	1
Labour				

Source: B.M. Walker ed. Parliamentary Election Results in Ireland, 1918-92 (Dublin, 1992).

<sup>12</sup> There were, in addition, three Trinity College seats.

<sup>13</sup> Jim Larkin, an independent labour deputy in Dublin North had been unseated and was replaced by Cumann na nGaedheal's Vincent Rice in April 1928.

<sup>14</sup> Independent deputy Alfie Byrne resigned on 14 March 1929 and his seat was won by Cumann na nGaedheal in the ensuing by-election.

At a local level, electoral politics in Dublin city had been suspended as the city council was dissolved by the Minister for Local Government in May 1924 and replaced by appointed commissioners. The council did not resume office until a new council was elected in September 1930 under the Local Government (Dublin) Act, 1930.<sup>15</sup> The council elected in 1930 was dominated by a conservative 'constitutional group' and by business and independent representatives.<sup>16</sup> The Dublin urban district councils<sup>17</sup> and Dublin county council were also largely composed of conservative 'ratepayer and business' representatives.<sup>18</sup>

The Poor Law Commission, which was established in 1925 to recommend a permanent system of poor relief, examined in particular the position in Dublin.<sup>19</sup> Its report (published in 1927) found that, despite some amalgamation of institutions and the replacement of the Dublin guardians by appointed commissioners in 1923,<sup>20</sup> the basic structures remained the same as under the old

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<sup>15</sup> That legislation extended the boundaries of the city to include the urban districts of Rathmines and Pembroke and certain rural areas.

<sup>16</sup> Cumann na nGaedheal, as a party, did not generally contest local government elections. However, the constitutional group (11 councillors) and the five business representatives (chamber of commerce, licensed trade and national business association) generally took a similar approach. Fianna Fáil (five councillors), Labour (three) and independent labour representatives (three including Jim Larkin senior and junior) were in a clear minority. For the election results see *Irish Independent*, 2 October 1930.

<sup>17</sup> Blackrock, Dalkey, Dun Laoghaire, Howth, Killiney and Ballybrack, Pembroke, and Rathmines and Rathgar. See generally Ó Maitiú (2003).

<sup>18</sup> For the results of the urban council elections in 1925 see *South Dublin Chronicle*, 27 June 1925 and Ó Maitiú (2003, p. 207). For the Dublin county council elections in 1925 and 1930 see *South Dublin Chronicle*, 27 June 1925 and *Irish Independent*, 2 October 1930.

<sup>19</sup> Commission on the Relief of the ... Poor, *Report*, (Dublin, 1927) pp. 88-9.

<sup>20</sup> The abolition of local authorities and their replacement by Commissioners was quite common in the 1920s with the Cumann na nGaedheal government exercising a much more proactive role in this regard than had the old Local Government Board.

poor law. The Commission recommended that the poor law in Dublin be brought into line with the rest of the country and that a joint county scheme be established. The new Department of Local Government had put the reform of poor relief in Dublin on hold pending the report of the Poor Law Commission. However, there was little sign of immediate action despite its clear recommendations. In response to a parliamentary adjournment debate in October 1927, Richard Mulcahy TD, the Minister for Local Government and Public Health, explained that outdoor relief had been allowed in Dublin for one month in March 1926 (under the exceptional powers of section 13 of the Local Government Act, 1898)<sup>21</sup> but that the commissioners had recommended against its continuation.<sup>22</sup> He did not indicate any immediate plans for reform. In July, in response to a parliamentary question from Dublin independent TD Alfie Byrne, Mulcahy stated that the operation of this provision was a matter for the Dublin Union commissioners, the county council and the corporation rather than him. However, he believed that the operation of section 13 'had been shown by practical experience to produce much confusion and demoralisation and to react unfavourably in cases really deserving'. He understood that the

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<sup>21</sup> This allowed outdoor relief in case of exceptional distress.

<sup>22</sup> *Dáil Éireann deb.* vol. 21, cols. 343-52, 27 October 1927. The 1925-7 Report of the Department of Local Government and Public Health reported that £13,100 had been spent on exceptional outdoor relief in the Dublin unions on over 20,000 persons (including family members). The report stated that those relieved included many boys and girls in the age range 15 to 21 years who had never been employed and also the partially employed, married ex-soldiers and street dealers.



'existing machinery [was] sufficiently wide to reach all genuine cases of destitution'.<sup>23</sup>

The Sinn Féin-led reform of the old poor law led to a marked shift away from institutional relief and towards relief in the home.

Despite the failure to change the law in Dublin, there was also a strong shift away from indoor or institutional relief and towards outdoor relief (table 2).

**Table 2: Poor Relief in Dublin, 1913 and 1926  
(persons relieved)**

	1 October 1913				31 March 1926		
	Bal-rothery	Rath-down	North Dublin	South Dublin	Bal-rothery	Rath-down	Dublin
In work-house	154	443	2238	3726	0	85	4050
Outdoor* <sup>24</sup> relief	303	598	2295	2404	523	806	7075

Source: Commission on the Relief of the ... Poor, *Report*, (Dublin, 1927) p. 156.

The annual numbers in receipt of relief varied falling from 23,700 in 1924 to a low of 18,056 in 1926 before rising significantly to 26,500 in 1928.<sup>25</sup> Although the exceptional provisions of the 1898 Act were not again called in aid after 1927, in that year the

<sup>23</sup> *Dáil Éireann deb.* vol. 24, col. 1908, 4 July 1928.

<sup>24</sup> Outdoor relief does not include children boarded-out.

<sup>25</sup> See the reports of the Department of Local Government and Public Health. In addition to persons on outdoor relief, significant numbers of 'casuals' received short-term relief in the workhouse although 1928 saw the removal of 'casuals' from the workhouse to the voluntary support provided in the Morning Star hostel.

Dublin Union commissioners 'extended' - with the permission of the Minister for Local Government and Public Health - the definition of provisional relief and assisted some able-bodied persons in this way. However, this fell outside the narrow circumstances allowed by law and the local government auditor disallowed expenditure of £8,700 for the period 1927-29.<sup>26</sup>

While hard data is lacking, there was certainly a perception in the late 1920s that unemployment in Dublin was worsening. In June 1929, an editorial in the *Irish Independent* noted the 'appalling amount of Unemployment in Dublin' which had led to an 'enormous increase in the number of applicants' for relief during the past six months.<sup>27</sup> In the later 1920s, urban district council chambers were 'invaded' by unemployment protestors on at least two occasions: Pembroke in December 1926 and Dun Laoghaire in June 1929.<sup>28</sup>

In April 1929, Mulcahy finally wrote to the Dublin public authorities suggesting that the Dublin commissioners and county

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<sup>26</sup> *Seanad Éireann deb.* vol. 13, cols. 265, 280-1, 11 December 1929. Mulcahy accepted that this practice was of 'doubtful legality'. The Dublin Commissioners stated that they had decided that it would be unjust to refuse urgent cases whilst an amendment of the law was pending and that they had entered into arrangements with the St. Vincent de Paul to deal with such cases: Department of Local Government and Local Health, *Report 1928-9*, (Dublin, 1930) p. 226.

<sup>27</sup> *Irish Independent*, 6 June 1929. See generally Cousins (2003, p. 49).

<sup>28</sup> *South Dublin Chronicle*, 18 December 1926; 22 June 1929. The issue of unemployment arises very many times in the debates of the urban district councils as reported in the *Chronicle* throughout the 1920s.

council should prepare a joint scheme<sup>29</sup>. Ultimately, however, the initiative for poor law reform was taken by the Senate (the upper house) which, in response to a motion by Senator Thomas Johnson, former leader of the opposition Labour Party, appointed a special committee in May 1929 to consider the issue.<sup>30</sup> The committee, having met with the Dublin commissioners, reported on 27 June that while negotiations had been opened to adopt a county scheme,<sup>31</sup> the needs of the case required legislation to be adopted to allow the payment of outdoor relief as under the 1923 Act.

On the same day, Johnson introduced the Dublin City and County (Relief of the Poor) Bill. This simply removed the restrictions on payment of outdoor relief subject to such regulations (if any) as might be introduced by the Minister for Local Government. Johnson estimated that no less than 5,000 families<sup>32</sup> ought to be in receipt of outdoor relief but were excluded by the existing law. While a number of amendments of a technical nature were put forward by Mulcahy and accepted by the Senate, the Bill was passed on 4 July

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<sup>29</sup> Minister for Local Government and Public Health to Dublin commissioners, 22 April 1929, in *Minutes of the municipal council of the city of Dublin 1929*, para. 174.

<sup>30</sup> *Seanad Éireann deb.* vol. 12, cols. 145-64, 12 April 1929; *ibid.* cols. 457-460, 2 May 1929. O'Sullivan (1940) reports that Cumann na nGaedheal was the largest group in the Senate with 19 seats (out of 60) at that time followed by an Independent group (including former unionists) of 12. Fianna Fail had only seven seats and Labour six though O'Sullivan reports an 'absence of party rigidity'.

<sup>31</sup> In fact, the same day Dublin County Council adopted a motion rejecting a joint scheme for Dublin city and council: *Irish Independent*, 28 June 1929.

<sup>32</sup> This estimate appears to be based on the opinion of Dr. Dwyer one of the Dublin Commissioners, see below.

and the Minister undertook to put the Bill through the Dáil (the lower house) before it rose.<sup>33</sup>

It was at this point that second thoughts arose.<sup>34</sup> The Bill was not brought before the Dáil<sup>35</sup> and Mulcahy decided instead to call a conference of the relevant local and poor law authorities. It appears that he hoped this move would now spur them into producing an agreed county scheme. However, at least some of the authorities were as unenthusiastic as ever.<sup>36</sup> In Mulcahy's words "local opinion favoured the postponement of the joint county scheme until the Greater Dublin question should be settled".<sup>37</sup> The conference did, nonetheless, make recommendations on immediate reform. It was prepared to agree to the extension of outdoor relief on the basis that 50 per cent of the extra costs be met from central government funds and that relief for the able-bodied be made a separate charge with the Dublin Union being split into an 'urban' area (involving the North Dublin Union, the South Dublin Union, Celbridge, the City of Dublin and the townships of Rathmines, Pembroke and Howth) and the remaining rural area with each to

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<sup>33</sup> *Seanad Éireann deb.* vol. 12, col. 1131, 4 July 1929.

<sup>34</sup> Unfortunately the relevant files of the Department of Local Government and Public Health, which might throw some light on this change in thinking (and the subsequent development of policy), were not accessible at the time of the research.

<sup>35</sup> See Louis Bennett, Irish Women Workers Union to W.T. Cosgrave TD, President of the Executive Council, complaining that the Dáil has postponed the second reading of the Bill, 22 July 1929 (N.A.I., Department of Taoiseach, S. 2887).

<sup>36</sup> The Department of Local Government attributed the opposition to Dublin County Council, *Report 1929-30*, p. 87. Pembroke urban district council subsequently passed a resolution opposing the proposed extension of outdoor relief and calling for national support, *Dáil Éireann deb.* vol. 32, col. 1120, 13 November 1929.

<sup>37</sup> *Dáil Éireann deb.* vol. 32, col. 443, 30 October 1929.

carry its own charges. Rathdown was also to be split into urban (including Blackrock and Dun Laoghaire) and rural areas. Obviously the urban areas would have heavier relief costs which would have to be borne by the rate payers of those areas. As Mulcahy noted the idea dominant in the minds of the rural members of the conference was that they should not bear the costs of the city areas.<sup>38</sup>

Having considered the options, Mulcahy submitted a proposal to the Executive Council on 17 October 1929. He recommended that the Senate Bill should be amended

- 1) to limit outdoor relief to persons resident for at least 2 years in Dublin;
- 2) to charge the costs of relief in the urban and rural portions of Dublin on such portions exclusively;
- 3) To make assignment of work to persons granted relief as a condition of relief;<sup>39</sup> and
- 4) To allow payment of removal expenses of person not 2 years resident.<sup>40</sup>

Given the extent of the amendments, Mulcahy recommended that new legislation be introduced rather than amending the Senate Bill and

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<sup>38</sup> *Dáil Éireann deb.* vol. 32, col. 445, 30 October 1929.

<sup>39</sup> In fact, the draft legislation accompanying this proposal only allowed rather than required a 'work test' no doubt with a mind to the practicalities involved. The General Regulations for County Scheme already allowed a work-test but it had 'been found difficult or impossible to find work which might fittingly be offered to the able-bodied applicant for home assistance' Department of Local Government and Public Health *Third Report 1927-8*, (Dublin, 1929) p. 86.

he submitted draft legislation which was approved by the Executive Council. The Act was intended to last to March 1931 by which time it was hoped that it would be replaced by permanent legislation dealing with the relief of the poor.<sup>41</sup> Thus Mulcahy was prepared to accept the proposal to split Dublin in two for the purposes of the new charge although Howth, in his own Dublin North constituency, became part of the rural rather than urban area. He was not, however, prepared to make any concession on state funding as this would lose the sense of responsibility arising from local funding.<sup>42</sup>

The legislation came up for second reading in the Dáil in late October 1929. Mulcahy introduced the Bill on 30 October 1929. There had been considerable public discussion in the period leading up to this. Dr. Dwyer, one of the Dublin commissioners, made a presentation to the Dublin Chamber of Commerce in which he had estimated the extra cost at £200-250,000 per annum representing an additional rate of between 5s. 3d. and 6s. 9d. in the pound.<sup>43</sup> Mulcahy rejected this estimate but unwisely, from a tactical point of view, refused to give his own estimate of the additional costs.<sup>44</sup>

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<sup>40</sup> N.A.I., Department of Taoiseach, S. 2887.

<sup>41</sup> J. McCarron (secretary of the Department) to secretary, Executive Council, 17 October 1929 (N.A.I., Department of Taoiseach, S. 2887).

<sup>42</sup> *Dáil Éireann deb.* vol. 32, cols. 444; 506-7, 30 October 1929.

<sup>43</sup> *Irish Independent*, 22 October 1929. The *Independent* attributed unemployment in Dublin largely to an influx of men and women into the city and called for the State to bear part of the extra cost.

Most deputies agreed that the costs involved would be significant. Seán T. Ó Ceallaigh of Fianna Fail (deputy for Dublin North) anticipated an 'enormous burden' on the rate payers but felt they would be prepared to pay 'if the full facts of the present conditions were known' to them.<sup>45</sup> His colleague Seán Lemass also felt that the burden on ratepayers would be a heavy one but, more cynically, felt that they largely deserved it on the basis that, in his constituency, they almost always voted Cumann na nGaedheal and they would 'be interested to learn that this is one of the results of their stupidity'.<sup>46</sup>

Labour deputies, while accepting that the Bill satisfied the main idea of the Senate Bill, were critical, in particular, of the residence rule and also expressed serious concerns about the 'work-test' although not objecting to it in principle.<sup>47</sup> In contrast, Deputy Good, representing business interests was concerned about the 'serious burden' which would be thrown on the ratepayers of Dublin and the impact that this would have on employment.<sup>48</sup> He argued that Dublin should only be responsible for the unemployed and destitute within its own area and those born in the area. He felt that the two year residence requirement was too short. His view largely reflected that of the Dublin Chamber of Commerce which argued that the concept of 'settlement' and

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<sup>44</sup> *Dáil Éireann deb.* vol. 32, cols. 1155-7, 13 November 1929.

<sup>45</sup> *Dáil Éireann deb.* Vol. 32, col. 448, 30 October 1929.

<sup>46</sup> *Ibid* col. 467.

<sup>47</sup> See, for example, T.J. O'Connell, *Dáil Éireann deb.* vol. 32, col. 459 et seq., 30 October 1929; Archie Cassidy *Ibid* cols. 485-8.

removal, drawn from the English poor law but which had never operated in Ireland, should be introduced to protect the ratepayers of Dublin.<sup>49</sup>

Fianna Fáil took a nuanced approach to the Bill, accepting it without welcoming it in the words of Seán MacEntee.<sup>50</sup> Their basic argument was that the only real solution to unemployment was to develop industry and that this measure was only a 'temporary expedient'<sup>51</sup> and as such a 'terrible and ... fitting commentary on the industrial policy of the current Government'.<sup>52</sup> Several Fianna Fáil speakers expressed their sincere concerns for the less well-off, the terrible state of Dublin slums, and the need for state action.<sup>53</sup> At the same time, Fianna Fáil did not oppose the two year residence rule nor the division of Dublin in two for the purposes of the charge, although they did propose that the middle-class urban area of Rathdown (where there were few Fianna Fáil votes) be added to the 'urban' part of Dublin (the effect being to increase the charge on the rate payers in these areas). However, to ease the burden on the ratepayers of Dublin, Fianna Fáil urged that

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<sup>48</sup> *Dáil Éireann deb.* Vol. 32, col. 455-8, 30 October 1929.

<sup>49</sup> Secretary, Dublin Chamber of Commerce to W.T. Cosgrave, 10 December 1929 (N.A.I., Department of Taoiseach, S. 2887). See also *Seanad Éireann deb.* vol. 13 col. 282 11 December 1929.

<sup>50</sup> *Dáil Éireann deb.* vol. 32, col. 500, 30 October 1929. Speaking before MacEntee, de Valera had declared that Fianna Fáil's position on the Bill was so well known that there was no need for him to discuss it. Given that in the same contribution he had to 'clarify' an earlier statement by Seán T. Ó Ceallaigh, this was typical Dev obfuscation.

<sup>51</sup> De Valera, *ibid* at col. 492.

<sup>52</sup> Lemass, *ibid* at col. 467.

<sup>53</sup> See, for example, S.T. Ó Ceallaigh, *Dáil Éireann deb.* vol. 32, cols. 447-50; Frank Fahy, *Dáil Éireann deb.* vol. 32, col. 495-6; Ben Briscoe, *Dáil Éireann deb.* vol. 32, col.483, 30 October 1929.



some national funding - possibly raised through a tax on 'luxuries' - should be committed to meeting the extra cost.<sup>54</sup>

Clearly there was some division in the Fianna Fáil ranks on the details of their position but their opposition status and careful finessing from de Valera avoided the development of too obvious divisions. Ó Ceallaigh, for instance, suggested that the extra cost might be shared by the whole county of Dublin<sup>55</sup> but Lemass, de Valera and Ó Ceallaigh himself subsequently 'clarified' what he really meant.<sup>56</sup> De Valera and MacEntee explained that what they had in mind was funding from a tax on luxuries and amusements which, while national, would fall chiefly on those in Dublin but on the shoulders of those who could best afford it.<sup>57</sup>

Cumann na nGaedheal deputies and independents supporting the government were clearly somewhat unhappy with the proposals. In public, Cumann na nGaedheal deputies broadly supported the Bill although at least one, J.J. Byrne of Dublin North, agreed with Deputy Good that Dublin should not be asked to support the unemployed of the whole country and argued that the government must either prevent an influx of unemployed people to Dublin or shoulder the cost of the Bill. He feared the Bill would lead to

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<sup>54</sup> The 'luxuries' that the then puritanical Fianna Fáil has in mind included dances, dog racing, and picture houses, see Lemass, *Dáil Éireann deb.* vol. 32 col. 467, 30 October 1929.

<sup>55</sup> *Dáil Éireann deb.* vol. 32, col. 452, 30 October 1929.

<sup>56</sup> *Dáil Éireann deb.* vol. 32, cols. 473 and 494, 30 October 1929; and col. 1338, 14 November 1929.

the 'complete cessation of any industrial activity'.<sup>58</sup> In private other government deputies clearly shared these concerns and they met for two and half hours in early November 1929 to discuss the Bill - a meeting also attended by General Mulcahy. It appears that the deputies sought Exchequer support for rates but Mulcahy refused.<sup>59</sup>

Pressure on both sides continued. On the one side, the Dublin Chamber of Commerce continued to voice its opposition<sup>60</sup> with further editorial support from the *Irish Independent*.<sup>61</sup> On the other, early November saw unemployment protesters outside Dáil Éireann dispersed by the police.<sup>62</sup> However, the Bill was largely unamended in Committee and at Report stage. A Labour amendment to remove the residence rule altogether was defeated with Fianna Fáil voting with the government on the basis that the absence of a residence requirement would increase the drift of unemployed people towards Dublin.<sup>63</sup> Conversely an amendment by the aptly named Professor Thrift TD (Trinity College) to increase the required period of residence to three years was withdrawn in the face of combined opposition from the three major parties. And Deputy F. X. Murphy's proposals that any increase in rates be limited to a

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<sup>57</sup> MacEntee, *ibid* 501-2.

<sup>58</sup> *Dáil Éireann deb.* vol. 32, cols. 474-8, 30 October 1929.

<sup>59</sup> *Irish Independent*, 6 November 1929.

<sup>60</sup> The Chamber, which twice met with Mulcahy on the issue, agonised about the crushing burden on industry which the increase would represent but was astonished by the apathy of the ratepayers: *Irish Independent*, 13 and 26 November 1929.

<sup>61</sup> See *Irish Independent*, 8, 12 and 14 November 1929.

<sup>62</sup> N.A.I., Department of Taoiseach, S. 5972.

<sup>63</sup> *Dáil Éireann deb.* vol. 32, col. 1133, 13 November 1929.

maximum of 3s. in the £ was also withdrawn in the face of all-party opposition. However, the Executive Council subsequently decided that the Minister should arrange that the increase in rates for 1930 arising from the operation of the Act would not exceed 2s. in the pound.<sup>64</sup>

Deputy Good's proposal for automatic removal of all applicants for poor relief with less than two years residence with the cost falling on the 'responsible' union, i.e. the Chamber of Commerce's 'settlement' policy, was also resoundingly defeated. Mulcahy pointed out that the Poor Law Commission had expressed very serious reservations about this approach and Fianna Fáil were also opposed to this option.<sup>65</sup> The Bill was passed by both Houses on 18 December 1929 - despite Johnson's complaint that it was a 'much worse Bill' than his own<sup>66</sup> - and came into effect on 3 January 1930.

As might be expected, the implementation of the Act led to a significant increase in the numbers on outdoor relief in Dublin. As can be seen in figure 1, the numbers on outdoor relief<sup>67</sup> jumped from 11,900 in 1929 to 21,700 in 1930 and continued to rise to 34,300 by 1934 before the introduction of unemployment assistance transferred significant numbers away from the home assistance

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<sup>64</sup> N.A.I., Department of Taoiseach, S. 2887. How this was to be achieved was not specified.

<sup>65</sup> *Dáil Éireann deb.* vol. 32, cols. 1169-1176, 13 November 1929.

<sup>66</sup> *Seanad Éireann deb.* vol. 13, col. 260, 11 December 1929.

scheme.<sup>68</sup> The introduction by Fianna Fáil of this national scheme reflected the views expressed by its leading members in 1929 about the need for a national response to the unemployment issue.<sup>69</sup>

INSERT FIGURE 1

Source: Annual reports of the Department of Local Government and Public Health.

Similarly, figure 2 shows that the numbers relieved per 1,000 population also increased significantly. Up to 1927-8, the Dublin union had been below the national average (although Rathdown and Balrothery had been above average). After the 1929 Act, the three Dublin unions all moved significantly above the average.

INSERT FIGURE 2

Source: Annual reports of the Department of Local Government and Public Health.

However, while there was a significant increase in the numbers relieved, this was - at least in the short-term - less than had been predicted and the dire projections of massive increases in

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<sup>67</sup> All data refer to the number on relief at the end of the relevant financial year in March.

<sup>68</sup> The introduction of a widow's pension in 1935 also led to further reductions, see Cousins (2005).

<sup>69</sup> See Cousins (2003, pp. 60-8).

rates were not borne out. When the Act came before the Dáil for renewal in February 1931, Mulcahy was able to report that the additional expenditure had been much less than projected.<sup>70</sup> While the Dublin Union commissioners had estimated the cost of relief for the year at £132,000 (or a rate of 1s. 7d. in the pound), the actual expenditure was only £81,000 (or about 1s. in the urban area of Dublin and 6d. in rural areas). The other provision of the Act had largely remained a dead letter and only £28 10s. had been spent on travelling expenses for persons to return from Dublin to some other area and no new relief works had gone ahead under the Act.<sup>71</sup>

There had been little debate on the gender implications of the issue and it seems to have been widely assumed that unemployed persons were necessarily men.<sup>72</sup> However, although men did dominate the rolls there were significant numbers of able-bodied women on home assistance.<sup>73</sup> The figures also indicate that the rise in the numbers on home assistance was not due solely to an increase in able-bodied persons themselves. In 1931, able-bodied men and women on home assistance amounted to some 4,300 compared to an increase in the numbers on home assistance of about 12,000 since 1929. However, while a breakdown is not available of the numbers of

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<sup>70</sup> *Dáil Éireann deb.* vol. 37, cols. 607-608.

<sup>71</sup> *Ibid* at col. 605.

<sup>72</sup> Deputy Ben Briscoe, Fianna Fáil, accused Deputy Byrne of wanting 'to make out that a girl who is unemployed is not unemployed because she is female': *Dáil Éireann deb.* vol. 37 col. 623, 26 February 1931.

<sup>73</sup> Unfortunately published data on the gender breakdown is only available from 1931.

adult and child dependents included in the claims of able-bodied adults, it seems likely that the increase in claims is largely accounted for by able-bodied persons and their families. As can be seen in table 3, able-bodied persons accounted for over one-third of all adults on home assistance in 1931 rising to 40 per cent in 1934 before falling back significantly due to the introduction of national unemployment assistance (figure 3). The increase was largely due to an increase in able-bodied men from 3,300 in 1931 to 5,400 in 1934. The number of men fell dramatically to under 2,000 in 1935 as many men transferred to unemployment assistance. In contrast, the number of able-bodied women increased less significantly (from 950 in 1931 to 1,400 in 1934) and also was largely unaffected by the introduction of unemployment assistance reflecting the severe limitations on access to this payment for women.<sup>74</sup>

INSERT FIGURE 3

Source: Annual reports of the Department of Local Government and Public Health.

The Act was set to expire on 31 March 1931. Mulcahy had attempted to change this to 1932 at report stage but under pressure from the independent deputies the date had not been changed.

Unsurprisingly, given the impending general election, no overall

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<sup>74</sup> See Cousins, (2003, p. 64).

proposals for poor law reform had come forward by 1931 and the Dublin Act was extended for a further five years in the Poor Relief (Dublin) Act, 1931.<sup>75</sup> The Act was again renewed, this time by a Fianna Fáil government, in 1936 with surprisingly little debate.<sup>76</sup> It was not until 1939 - as part of a broader bill on the reform of home assistance - that the position of Dublin was finally brought into line with the rest of the country (and even then the Act did not come into force until 1942).<sup>77</sup> Even then the Bill as published still did not apply to Dublin but Conn Ward TD, parliamentary secretary to the Minister for Local Government and Public Health, amended the legislation on its passage through the Dáil so as to apply it to Dublin - finally bringing to an end its exceptional position.<sup>78</sup>

While the employment and unemployment figures in the 1920s are notoriously difficult to decipher, it is clear that there was rising concern about unemployment - particularly in Dublin - in the late 1920s.<sup>79</sup> These concerns increased the pressure on the government to take action to redress the anomalous position of Dublin and to ensure that some form of support was available to

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<sup>75</sup> See *Dáil Éireann deb.* vol. 37, col. 605 *et seq.*, 26 February 1931. The structures for local control of the poor law in the Dublin area were reformed in the Local Government (Dublin) Act, 1931 (ss. 91-3) (as amended by the Local Government (Dublin) (Amendment) Act, 1931) which provided for the establishment of boards of assistance appointed by the relevant local authorities in place of the boards of guardians.

<sup>76</sup> *Dáil Éireann deb.* vol. 60, col. 610 *et seq.*, 13 February 1936; col. 995 *et seq.*, 20 February 1936.

<sup>77</sup> See Cousins, *Birth of Social Welfare*, pp. 98-9.

<sup>78</sup> *Dáil Éireann deb.* vol. 76, col. 571-2, 6 June 1939; col. 1773 *et seq.*, 4 July 1939. Again the non-availability of the relevant files makes it difficult to assess the reasons behind this change in approach.

unemployed persons outside the workhouse. However, a reluctance to increase the charge to the ratepayers, combined with the ongoing development of policy responses to the Poor Law and Greater Dublin Commissions (1926), were key factors in delaying poor law reforms.

Labour's initiative in proposing a Senate Special Committee and subsequently sponsoring a private members Bill is a rare example of their role as constitutional opposition paying off in the social sphere (ironically after Fianna Fáil had already assumed the role of the main opposition party). This is, interestingly, one of the very few occasions in the history of the Irish welfare system in which a policy change was originated by the opposition rather than by the government.<sup>80</sup> It is worth noting that it occurred during the first decade of Independence and involved the provision of welfare by a local authority rather than the central state.<sup>81</sup>

In the debates on the Bill, we can see Labour taking a straightforward class approach and looking for unqualified support for unemployed workers without any residence requirement. While the proposal was initiated by the Dublin-based Johnson, it is clear from the Dáil debates that many rural Labour deputies

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<sup>79</sup> See Cousins (2003, pp. 49-50).

<sup>80</sup> See Cousins (2003, p. 187).

<sup>81</sup> Thus the rules of the Oireachtas (parliament) did not prohibit the Labour bill from proposing an additional cost to the ratepayers as would have been the case had the charge fallen on the Exchequer.



strongly resented the erection of barriers to relief in Dublin<sup>82</sup>. The Dublin Chamber of Commerce equally reflected the interests of its members arguing for the introduction of a highly restrictive system of 'settlement' which would have made the Dublin ratepayers responsibly only for 'their own' unemployed.

Cumann na nGaedheal for once crafted a median solution to the problem, one which allowed both sides to achieve their key objectives. Labour got outdoor relief for unemployed persons in Dublin (subject to a residence requirement) while urban Dublin ratepayers were protected to some extent by the residence requirement and rural Dublin ratepayers were not called on to share the higher burden of their urban neighbours. However, having crafted a political solution to the issue Cumann na nGaedheal presented it in a somewhat highhanded way thereby gaining little credit from either side. Mulcahy's speeches in the Dáil and Seanad are noticeable for their lack of expressed concern for the poor of Dublin - in contrast to Fianna Fáil and Labour speakers. On the other hand, he failed to give any strong reassurance to the rate payers of Dublin that their rates would not increase significantly by failing to give any clear estimate of the cost to replace the inflated estimate of the Dublin commissioners. Reflecting the Cumann na nGaedheal concern to keep costs local, Mulcahy refused

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<sup>82</sup> See for example, T.J. O'Connell *Dáil Éireann deb.* vol. 32, col.461-2, 30 October 1929; James Everett *Dáil Éireann deb.* vol. 32, col. 1118, 13 November 1932.

to entertain any question of a State subvention towards the extra cost.

Fianna Fáil, having the advantage of being in opposition, were able to take a more nuanced approach. On the one hand, Fianna Fáil speakers were eloquent in their concern for the poor of Dublin and their condemnation of government inaction in this regard. On the other, Fianna Fáil broadly accepted the residence and separate charge compromises and, in addition proposed that the State should step in to reduce the burden. Thus, they showed that they were already acutely aware of the need to build a project which could unite (or at least not alienate) workers and business. No doubt the poor law reform episode was only one of the factors on the minds of Dublin voters when they gave Fianna Fáil increased representation in the 1932 elections.<sup>83</sup>

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<sup>83</sup> Although Cumann na nGaedheal and its supporters continued to dominate local Dublin politics until at least the end of the 1930s.

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Figure 1: Persons on home assistance in Dublin, 1926-36

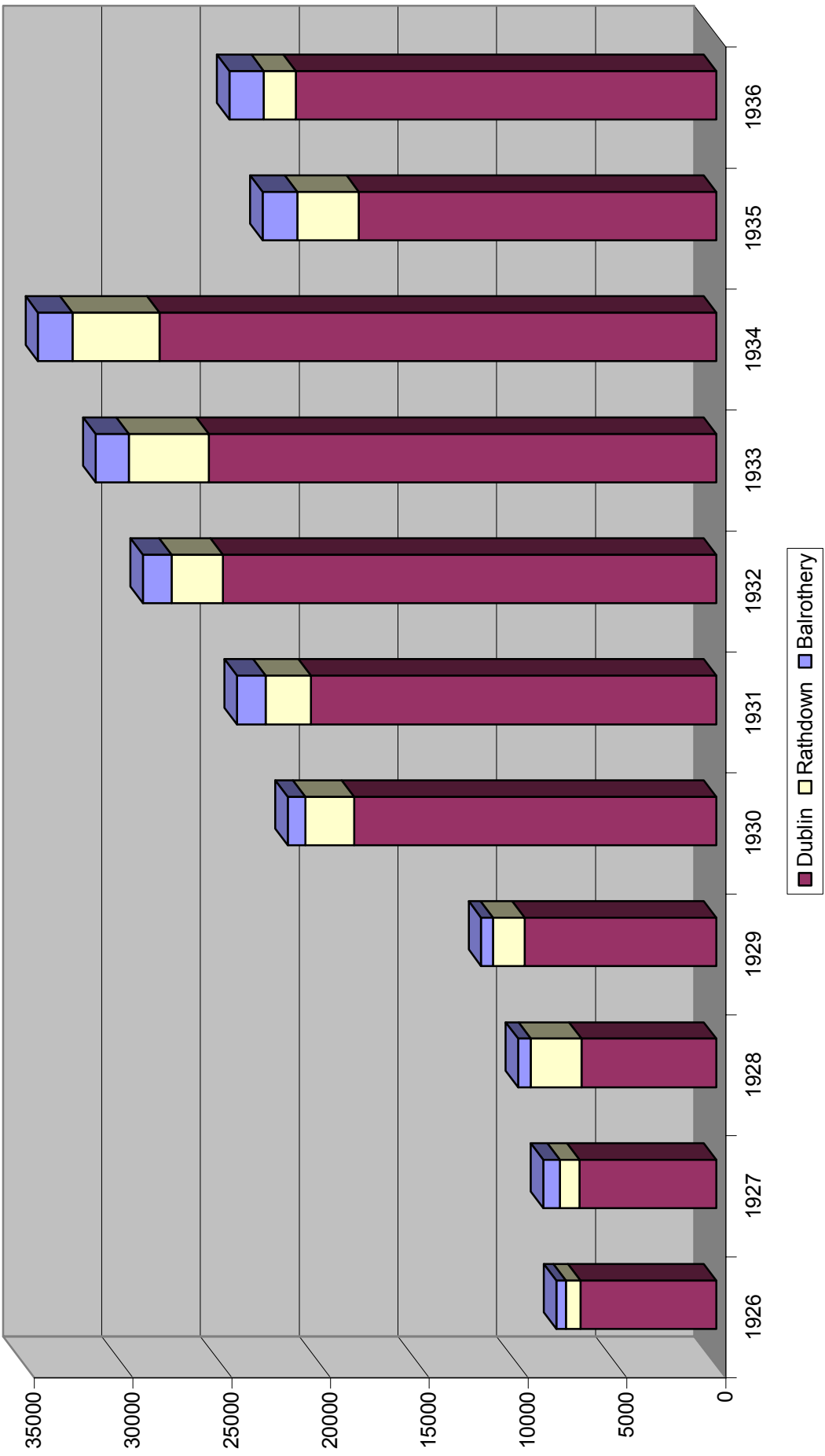
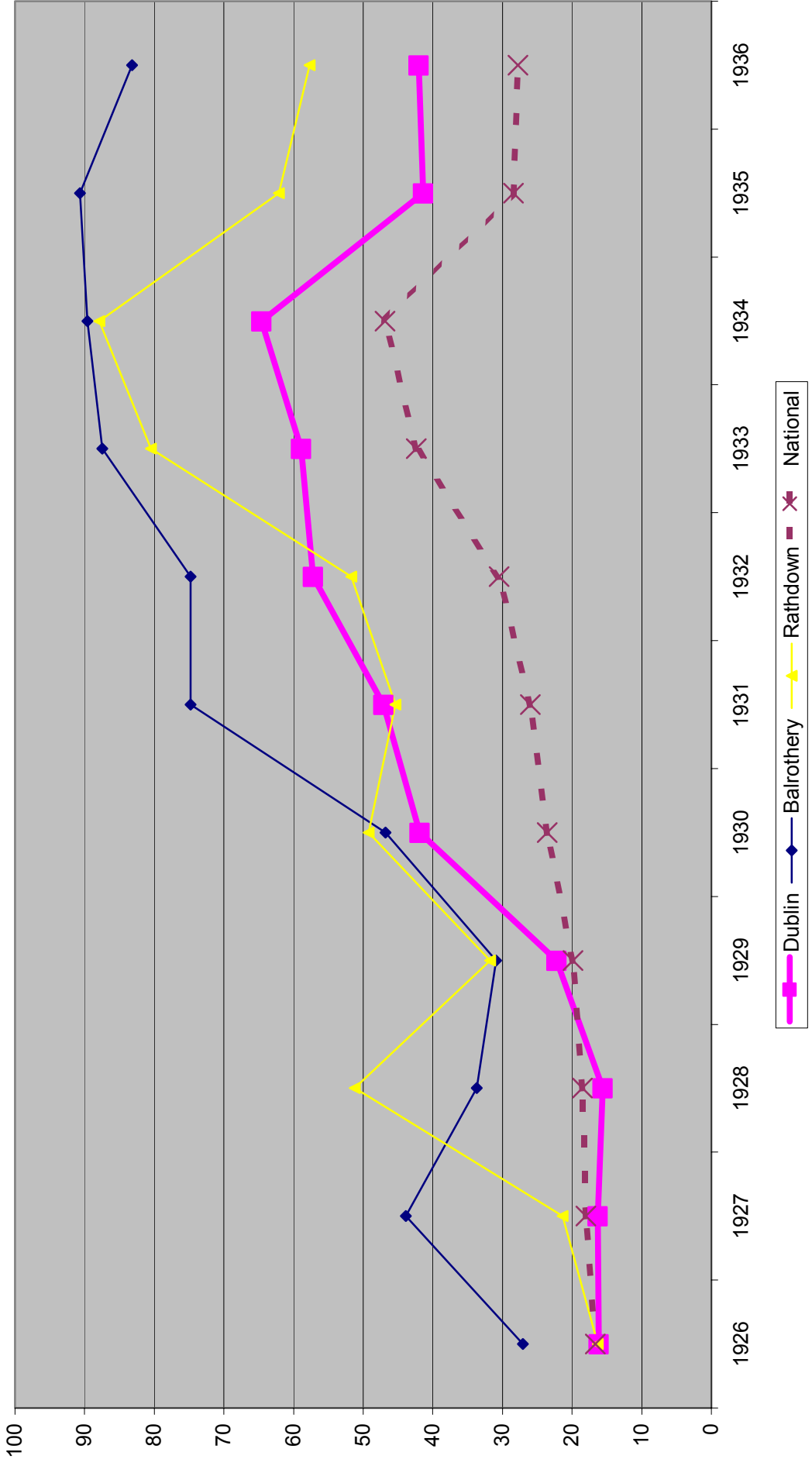


Figure 2: Persons on home assistance per 1000 population, 1926-30



**Figure 3: Able bodied persons on home assistance and as a % of all adults on home assistance by gender, 1931-6**

