The origins of modern welfare: city of Ypres, the government of poor relief.

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The origins of modern welfare:

Volume 2

City of Ypres, *The government of poor relief*

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Introduction to Volume 2: The Ypres scheme of poor relief

This report on poor relief in the city of Ypres may well be the first evaluation of a social policy programme ever to be published. It reviews the operation of the scheme and attempts to explain and justify it to the religious authorities. The report was published in 1531, just over five years after the introduction of Ypres' pioneering scheme for relief in 1525.

The description of anything published nearly five hundred years ago as an 'evaluation report' might be hard to credit, but speaking as a specialist in public policy, it is difficult to see it as anything else. It reviews the background, aims, methods and outcomes of the policy. Aspects of this report foreshadow the standard elements of any modern report on policy. The task was to show both that the scheme was right, and that it worked. The report presents a

series of small sections covering, if not quite systematically, the background, causes, methods, implementation and outcomes of policy - many of the staple elements of policy analysis (Spicker, 2006). There are sections on the benefits of the policy, its future development, challenges and overall evaluation. Every generation of academics and researchers in public policy likes to think it has invented these structures for itself. It is a little unnerving to see something clearly recognisable in modern contemporary terms as a policy analysis, in a document published in the sixteenth century.

The *Forma Subventionis Pauperum*

The *Forma Subventionis Pauperum* has its origins in a defence of the scheme of poor relief, written for the judgment of the Faculty of Theology at the Sorbonne. Although the arguments had to stand up to religious examination, there is rather less emphasis on Christianity here than there is in the work of

Juan-Luis Vives, presented in Volume 1. This report is more practically oriented - it includes, for example, considerations about the management of incomers or the audit of accounts. The first half, which aims to justify the policy, offers reasons and some arguments, and it cites classical literature, but there are far fewer quotations and literary allusions than there are in Vives' better known report - this is altogether a less scholarly work. The authors condemn poor people, and they tend to emphasise the harsher, disciplinary elements of policy that are associated with early provision for the poor. The later sections include a number of short, pithy sections on both practical issues and issues of principle. By comparison with the opening sections, it is progressive, emphasising the need to be inclusive and the challenges of practical management. There is a later point when the text goes back to general principles, and the style changes again.

There are three main contemporary sources containing versions of the report. The

first is the submission made by the magistrates at Ypres to the Sorbonne. That document, dated December 1530, was presented in Dutch and Latin (Nolf, 1915, documents 9 and 10). Then there is the full published report in Latin, published in 1531, which is the basis for this edition and for William Marshall's English translation. The full report is much longer than the submission to the Sorbonne, and although it uses material from the submission at some points, it was very substantially rewritten. There is also what seems to be an intermediate version, a somewhat abbreviated translation into French, published in 1531 (Nolf, 1915, document 18). It contains many of the same headings as the full report, but it consists mainly of short paragraphs. It might be an abridgement or summary of the full report.

The scheme at Ypres was not as innovative as the report claims. The first draft of the scheme is very similar to the scheme introduced in January 1525 at Mons; both schemes are based on the prevention of begging, a requirement to work, and the

payment of funds into a common chest. Nolf sets the draft side by side with the ordinance from Mons (Nolf, 1915, Document 1). Although the Mons scheme is longer, the ordering is similar and there are lengthy passages in almost the same words, which could not have happened without direct copying. He concludes that the Ypres scheme is "nothing more than the reproduction of the first with some modifications of detail" (Nolf, 1915, xxvi). By the time the Ypres scheme was published in December 1525, however (see Nolf, 1915, document IV; Lindberg, 1993, 202-5), the clauses and practical implementation had been worked out in some detail, more thought had been given to the relationship with private charity, and there was little direct resemblance between the documents. By the time the report on Ypres had appeared, similar schemes had been adopted in Lille, Nieuwpoort and Oudenarde.

The reason for subsequently justifying and presenting the scheme in the form of a report has its origins in a dispute with the

religious authorities. The mendicant orders in Ypres objected to the scheme, complaining both of its harsh treatment of the poor and the suspicion that it was tainted with Lutheranism. Nolf suggests that the scheme directly threatened their main source of income (Nolf, 1915, p lv). The magistrates protested that nothing in the scheme applied to religious mendicants, but that was not strictly true; the finalised order specified that only alms established for the purpose should go to religious mendicants, and all funds intended generally for the poor should go into the common fund (Nolf, 1915, document 4 para 5; translated in Lindberg, 1993, p 203, para 7).

The dispute was referred to the Sorbonne for judgment. There are conflicting accounts in commentaries as to who took the initiative in the appeal (contrast Ashley, 1906, p 169 and Salter, 1926, p 33), but it seems that both sides did. Following a public disputation, the referral was made jointly to the Sorbonne by Jean Crocius, on behalf of the mendicant orders, and “Jacobus Papus”, possibly Jean

Passe (Vandenpeereboom, 1878, pp 305-6) or Jacques de Pape (Nolf, 1915), a preacher in favour of the reform. The submission was written in 1530, and the judgment followed rapidly in 1531. The Faculty of Theology described the scheme as "pious and salutary, and not inconsistent with either the word of the Gospel or the example of the Apostles and our forefathers." The Sorbonne's decision led to enough inquiries, including one from Emperor Charles V - the Low Countries were at that time subject to the Spanish Empire. The city rulers consequently asked the Provost of St Martin's Cathedral in Ypres to prepare an account for publication (Ashley, 1906, p 170). The report was published in 1531, along with the judgment. This is the document presented in this volume.

Reformation and reform

The reform of social welfare provision took place at a time of major social change, reflected in the development of a new theology and the

birth of Protestantism. The social organisation of the cities was not a new development; they had emerged over a long period. In part, this reflected the slow growth of a mercantile class; in part, too, the cities were defensive communities, which needed to protect themselves from the instability caused by war, disease and consequent displacement from the land. The development of the new industrial practices - reflected in some of the examples given in these works - was linked both to expansion of the cities and to their growing importance.

The defensive character of the cities created some tensions with the traditional approaches to welfare and begging supported by the Christian church. Charity, in mediaeval times, was a duty to God rather than to the poor. Religious foundations offered indiscriminate support to itinerant beggars, which facilitated the movement of people, often in unstable times. Charitable donations were a practical way of ensuring reciprocal support and the ability to travel for clerics,

especially those in the mendicant orders. They were also a major source of income for the Church, at a time when it was increasingly criticised for corruption and excess.

Luther posted his theses at Wittenberg in 1517; the Diet of Worms, the critical meeting which established his opposition to the Church, was in 1521. Protestantism was a challenge to many of the practices of the Church; it was taken up in several city-states, particularly the cities of Germany and Switzerland. The protestant movement may have offered an ideology that appealed to the new bourgeoisie (Weber, 1904), but it did more than that: it also offered a programme of practical reform for those who resented the financial burdens that the Church imposed. On poverty and begging, Luther had written:

> One of our greatest necessities is the abolition of all begging throughout Christendom. Among Christians no-one ought to go begging! It would also be easy to make a law, if only we had the

courage and the serious intention, to the effect that every city should provide for its own poor, and admit no foreign beggars by whatever name they might be called, whether pilgrims or mendicant monks. Every city could support its own poor, and if it were too small, the people in the surrounding villages also should be exhorted to contribute, since in any case they have to feed so many vagabonds and knaves in the guise of mendicants. In this way, too, it could be known who were really poor and who not. There would have to be an overseer or warden who knew all the poor and informed the city council or the priests what they needed; or some other better arrangement might be made. In my judgment there is no other business in which so much knavery and deceit are practised as in begging, and yet it could all be easily abolished. Moreover, this free and universal begging hurts the common

people. (Luther, 1520, s.21)

Luther issued his ordinance for Leisneck on the organisation of welfare in 1523; Zwingli wrote his for Zurich in 1525 (both in Salter, 1926). Luther prescribed the creation of a common chest, administered weekly by ten guardians, but also directed:

> It is neither permitted nor allowed that any monk, loiterer or church beggar shall himself beg or instigate begging in our parish, in town or village. ... No male or female beggar shall be allowed in our parish, in town or village; for such as do not suffer from age or sickness must work or be driven away from our parish, from town and village alike, with the aid of the authorities. (Salter, 1926, pp 90-1)

Zwingli's ordinance, similarly, was restrictive in tone. Its content is highly specific - it even names the officials who will carry out the

duties. More generally, he specified that

> The following types of poor citizens and country folk are not to be given alms: any persons, whether men or women, of whom it is known that they have spent and wasted all their days in luxury and idleness, and will not work, but frequent public-houses, drinking-places and haunts of ill-repute. Such folk shall be given nothing in the way of Poor Relief until they arrive at the last stage of destitution ... (Salter, 1926, pp 100-1)

The arguments made by the Protestant reformers are certainly parallelled in this report, and perhaps reflected in it, but the relationship is not straightforward. Ypres was Catholic, and the Low Countries were the subjects of Spain. The position of the Church was central – but that did not mean that this could not change. The principle of community funds to help the poor was long established in

the Low Countries; the city of Douai had had a community chest for over two hundred years (Nolf 1915, pp xviii, lviii). There were contemporary developments in Mons. These developments were based on the premise that making provision for the poor should be the responsibility of the secular authorities.

However, the scheme at Ypres was treading on dangerous ground. The people responsible for the scheme were gravely concerned about the possible charge of heresy. The scheme they were operating has been at times, wrongly, attributed to the influence of Vives' work for Bruges, presented in Volume 1. (e.g. Catholic Encyclopaedia, 1913; Tobriner, 1999, pp 14-5). That is inconsistent with the chronology (Vandenpeereboom, 1878; Fehler, 1999, p 14; Mattheeussen, Fantazzi, 2002, p xxiii). The scheme at Ypres was introduced in December 1525, supposedly for a trial of five or six months (Vandenpeereboom, 1878; Nolf,1915); Vives's treatise appeared in 1526.

Having said that, there is a different kind of connection between the documents.

These schemes put their authors at risk, and for the same reasons. Vives noted in a letter in 1527 that his *De Subventione Pauperum* had been attacked as "heretical and Lutheran" by a cleric within the diocese of Tournai (Mattheeussen, 1986, pp 93-4). The reaction to Vives in the University of Louvain prompted concern in Ypres about their own scheme. A disputation was consequently arranged in Ypres in September 1527. It was only following this discussion that the Ypres scheme was submitted for consideration by the Sorbonne (Vandenpeereboom, 1878, pp 305-6).

The main direct link between Vives's work and the Ypres report rests, then, in the political context. Both texts can be seen as part of the same social movement, shifting the focus of charity from individual beneficence to collective, secular social organisation. Both schemes risked the charge of heresy. The need to distance the scheme from that charge was the driving force for what ensued. The willing engagement of the magistrates in the request

for judgment was shrewd, and possibly the same political nous may have served the magistrates in other ways: one of the doctors from the Sorbonne wrote back to a representative from Ypres to thank him for the cheeses (Nolf, 1915, document 20). The judgment of the Sorbonne led to a request from the Emperor to review the scheme, and it was the Ypres report, not Vives's, which was drawn on in the scheme adopted as the model for the Spanish Empire (Ashley, 1906, p 170).

The influence of theYpres report

The adoption of the Ypres scheme throughout the Empire gave it a strong influence in Catholic countries. Although political resistance in the Catholic church ultimately led to the rejection of this approach at the Council of Trent (1545-63), patterns of secular organisation had begun to develop in several places, and even if the specifics of the schemes were not maintained, the general principles were.

The Ypres report had a direct influence on the development of social welfare in England, which introduced legislation intended to curb beggary and regulate welfare in 1531 and 1536, and the subsequent growth of secular provision. The report was translated into English by William Marshall, and appeared in 1535 (Marshall, 1535). The 1536 law - possibly, Elton speculates, drafted by Marshall - declared:

> his highness has perfect knowledge that some of them have fallen into poverty only of the visitation of God, through sickness and other casualties, and some through their own default, whereby they have come finally to that point where they could not labour for any part of their living, but of necessity are driven to live wholly of the charity of the people.

This law introduced both "overseers" – a word introduced by Marshall in his translation of the

Ypres report - and “censors”, an idea taken from Vives (Elton, 1953, p 60). For Elton, the Act “originated new principles and practice; it stood at the beginning of serious and effective legislation to deal with the great social problem of the day.”(Elton, 1953, p 67) It can reasonably be argued that this text was to have, through its influence on ideas and approaches, an influence on the development of the Elizabethan Poor Law, and subsequently on welfare in the rest of the world.

The text

This is an evaluation report, not an academic treatise, and the degree to which different topics are covered is uneven. The opening passages offer some justification for the scheme – mainly the suppression of begging and the supervision of the poor; the later material is mainly concerned with the operation of the scheme. Within that rough framework, however, it is possible to read something of the ideas that influence the

policy. Much of the justification for the work in Ypres can be seen as an argument for social cohesion. The benefits to a community are experienced in terms of public order - "evil men do less harm, good men live more at quiet" - and social relationships. "We are all members of Christ's body, joined by faith and charity, and so we ought willingly and mercifully to offer help to those in need."

A city (or a state) is understood as a political community. Mutual responsibility comes from common status and responsibility. "Poor men", the anonymous writers assert, "no doubt are members of the city as well as rich." This is not, however, a universalist position: "We prefer our own citizens, whose persons and manners we know, before strangers with whom we have no acquaintance. We are duty bound to look after them, because they are members with us of one political body."

Government is there to improve prosperity, in "our commonwealth, which by God's providence we have taken to govern and beautify." "The chief office of a Senate", they

write, “is not only to preserve the welfare of a commonwealth, but also to make it richer and better.” Charity is very much a matter for the authorities. The report accepts that there is a place for individual charity, but the distribution of charity and the position of recipients are strictly regulated.

“Every ruler ... has to care for poor people.” That ‘care’ is explicitly paternalistic. “When the city like a common parent handles her members in this way, it is clear proof of godliness.” In a world where most people were heavily constrained by social codes, poor people should not be an exception: “why should it be only these needy folks, that are men as well as us, who wander up and down without a tutor or keeper?”

When it comes to the practical issues, there is a commitment to action; a knowledge of the circumstances that officials were dealing with, and a familiarity with the procedures needed for social administration. The new procedures and ways of working had very little to work on by way of precedent: they are

based on an eclectic mix of business practice, charitable administration and rules related to taxation. Services have to be properly organised, records have to be kept, and the use of funds has to be publicly accountable and subject to audit. Luther ordained, for example, that records had to be kept in three forms: a book, including all constitutional documents and property deeds; a ledger, and a yearly account book (Salter, 1926, 89-90), and required the guardians to make a public report annually. The report provides for six-monthly accounts and an audit procedure based on tax accounting.

This is radical stuff. It marks a fundamental shift in the direction and purpose of government, committing it to engagement in the provision of welfare. I have come to this work from an interest in contemporary social and public policy. I still feel the excitement and astonishment that I felt when, newly out of a post in local government, I first encountered Salter's excerpts from this report, and I hope that I hope can communicate some of that

excitement to a new audience.

A note on the translation

The *Forma Subventionis Pauperum* is available in the original Latin at http://digbijzcoll.library.uu.nl (City of Ypres, 1531). The 1531 edition is difficult to read; in keeping with the conventions of the time, the printer has cut the letters “m” and “n” out of many words - *omnia*, for example, comes out as “*õia*” - which means that the whole thing reads like a mobile text message with the vowels left out. The report was translated into English shortly after its initial publication in 1535, and that translation, by William Marshall, is in the public domain. It dates from a time before English spelling had been standardised, and the text becomes even less accessible when the main electronic version available, in Early English Books Online, is in a heavy gothic script which is very indistinctly printed. Salter’s replication of that text at least makes it easier to read. In my first draft of this

edition, I used Marshall's translation, modernising the spelling but otherwise leaving Marshall's work intact. Those who read that version found it difficult to follow, and so I decided to put it into modern English. The work is basically a contemporary paraphrase of Marshall's original, modified by reference to the Latin original. Where Marshall parts company with the original, which he does on some important occasions, I have followed the Latin version, and explained the difference in the footnotes.

City of Ypres
Forma Subventionis Pauperum (1531)

The government of poor relief extensively applicable throughout the whole Republic of Christ, as established in the city of Ypres in Flanders.[1]

translated by William Marshall (1535) and Paul Spicker
commentary by Paul Spicker

[1] The report, as published, is anonymous. The chief architect of the scheme was Colard de Wulf. The report was apparently compiled by the Provost of St Martin's Cathedral.

FORMA SVB VENTIONIS PAVPERVM QVAE APVD HYPERAS Flandrorum vrbem viget, vniuerſæ Reipublicæ Chriſtianæ longe vtiliſſima.

AD LECTOREM.

Res noua, rem ſumas, rerum ſtudioſe nouarum
Ferre voluptatem res noua ſæpe ſolet.
Immo aũt vetus eſt res, nõ noua, coguita priſcis
Gentibus, & noſtris cognita temporibus.
Primitiua ſuos Eccleſia pauit egenos,
Quos mendicatum non tulit ire vagos.
Hæc quoq; noſtra fouent inopes frugalibus eſcis,
Sæcula, cum victu dando ſalutis opem.
Ergo diu poterit noua res, nouitate placere
Si vetus eſt, veteri more placere queat.
Siue antiqua velis, noua ſiue reſciſcere lector
Hæc tibi quam cernis pagina noſſe dabit.

Antuerpiæ apud Martinum Cęſarem, Anno. M. D. XXXI.

The government of poor relief[2]

Why the senate of Ypres stopped public begging[3] and established this form of poor relief

Our concern for poor citizens is not just because it is in the interests of the city. It is also prompted by the love we owe them according to Christ's law. God has appointed us

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[2] The title given to William Marshall's translation in 1535 was this: "The form and manner of subvention of helping for poor people, devised and practised in the city of Ypres in Flanders, which form is authorised by the Emperor and approved by the Faculty of Divinity in Paris."

[3] The text begins with the same point as the submission to the Sorbonne, though it starts to vary after a few sentences and takes a different direction in the next section. Begging was not stopped under the original scheme; the introduction of penalties for beggars was a later development, four years later (Salter, 1926, p 32). The decision to begin with this point indicates that this was a key point both in criticism of the scheme, and in its defence.

to take care of two things: religion, the honour and reverence of God, and humanity towards our neighbour.[4] By religion, we engage with, and are joined with, God. By humanity, we do the same with our fellow man; that is how men should live together in this world. Following the principle of humanity, we try to help those with whom God has joined us, not just in religion, but in civil and worldly matters. Every ruler, whether ecclesiastical or political, has to care for poor people. Without the aid that Christ's law requires of us all, their welfare[5] will be in danger through neglect. The reason why men are commanded to show mercy and kindness to others, is so that the poor might be

[4] The submission to the Sorbonne has *"pietatis"* rather than "*humanitatis*"; the later revision makes much better sense.

[5] The text is ambiguous. *Salutis* might be welfare, and might be salvation. *Ne per incuriam* (lest through neglect) might be a reference to the negligence of the rulers, or of the poor. Marshall translates the Latin to say "lest through their sluggardy not without peril of damnation" - that the poor might be damned for their laziness.

helped by everyone.

That is also why nature, the creator of everything, has made men pious and good, so that men should show godly love to each other. In the same way that the parts of men's bodies are joined to each other, if one part suffers, so does another. We are all members of Christ's body, joined by faith and charity, and so we ought willingly and mercifully to offer help to those in need. What kind of person is so far removed from charity, that he can pass by poor people as if they are shipwrecked and castaways? Whatever is given, and whoever it is given to, Christ accepts it as though it were done to himself.

Up to now, the poor wandered like scattered sheep in streets and highways, up hill and down dale.[6] They are covered with dirt and disease. They are punished with cold,

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[6] From this point on, the submission to the Sorbonne is more or less left behind. The final two sections, beginning with the passage headed "The statement of the rulers of Ypres", return to the text of the submission.

nakedness, hunger and thirst. They do not live like Christians; they lack all order of life, and do not think about their salvation or the sacraments, and they have little or no respect for Christ.[7] The young ones are led astray by the evil example of their parents. In their early years they are brought up in idleness.[8] They are taught evil things by lewd persons, and they are suckled on bad, spendthrift habits. Whatever the vice, no matter how poisonous,

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[7] When Octavia Hill made the case for better housing in Victorian London, she made the moral improvement of the poor a central argument: it was impossible, she thought, to live a Christian life in squalid conditions (Hill, 1884). For similar reasons, the third part of Charles Booth's *Life and Labour of the People in London* (Booth, 1902) is concerned with their religious life.

[8] The idea of the culture of poverty, which was highly influential at the time of the American War on Poverty in the 1960s, takes a similar line; it was followed by the related idea of the "cycle of deprivation", suggesting that poor parents raise their children to be the poor parents of the future. Neither thesis is supported by evidence from social science (Valentine, 1968; Brown, Madge, 1982).

they gather it in, as if spiders had spun a web to trap the weak.

People do not beg soberly any more.[9] Most beggars gather not because they are most in need but because they are the boldest. They have arranged their lives on the expectation they will get money from others; they do not give thanks for charity, but claim it as if they were lords, as if it had been a tribute due to them. Their boldness and pride increased, and their deceitfulness, covered with the cloak of poverty, grew and grew every day. They feared nothing; they assailed the doors, and the ears, of everyone. The poor they spoiled; the rich they beguiled. No-one escaped; they got what they could from him. Whatever was given to meet need was wasted and spent on pleasure. Because their eyes were blinded by malice, and they felt no sense of shame. They spent the alms, that devout people give them to live with, ungraciously, for sinful use. About their

[9] This seems to imply a previous golden age, when poor people were modest, unassuming and grateful for favours.

corrupt lives, the decay of all virtue and the undoing of good manners, no more needs to be said.

Every kind of beggar was encouraged to vice, even if they were they were ready enough to do so anyway. There was no thought of moderation or temperance; everything was mixed up[10], they turned everything upside down. They were gone so far into vice that they could hardly go any further. Sobriety, temperance, patience, meekness and shamefacedness were so clean gone away that nothing was left of them. The crafty one either shamelessly took the alms that good people ought to have had, or else like greedy birds they snatched their meat out of their mouths. The weak, the honest and the humble, and those most in need, those who were most deserving of charity, meantime stayed hungry

[10] Mary Douglas, the anthropologist, identifies this as a common concern in many cultures: purity and morality depend on clear dividing lines, and mixing things up is a sign of "pollution" and immorality. (Douglas, 1966)

at home. As a result, many people feared that their generosity was wasted and given to evildoers. They stopped giving, thinking there was no benefit. That is why it was necessary to institute a policy, so that the habit of vice and disorder might be removed, and beggars would have to keep to the rule of virtue.

The causes of begging [11]

It is best, before we come to the point, to say something about begging. People do it for different reasons. Rich people sometimes, privately inspired by the Holy Spirit, leave their own lands and become beggars, so that they can gain virtue, redeem their sins and seek grace. This is seldom seen; the example is one to be wondered at, but not one to be followed easily. No-one should be prevented from following the path that leads to his salvation: the rich man who sets things at nothing, choosing to beg or travel, might highly

[11] This section, and much of the following material, was not in the submission to the Sorbonne.

please God through a willing acceptance of meekness, labour, and humility. An example is Alexius, a citizen of Rome, and a famous wanderer and pilgrim, who went begging according to many men.[12]

Saint Jerome writes to Oceanus about Fabiola the virgin, who begged in voluntary poverty after that she had gladly spent her own wealth for Christ's sake, and was happy to accept charity.[13] Paula likewise, the same author tells us, was so generous that she died a beggar; she had no sheet of her own for a shroud, but had to be wrapped in a sheet from another body when she was dead.[14] There were others, according to the Holy Scriptures,

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[12] This is St Alexius, whose legend is reported in the *Catholic Encyclopaedia* (1913).

[13] St Jerome, Letter to Oceanus, at http://www.newadvent.org/fathers/3001077.htm, accessed 1st April 2010.

[14] There is a curious contrast here with the Victorian horror of the pauper's funeral; dying without possessions is being taken here as evidence of virtue.

who can be proved to have begged willingly.[15] However, we must not make a custom of this, in case as humans we fall into error under the colour of holiness. As Saint Augustine writes to Consentius, we should not try to imitate everything the saints do.[16] St Mark, who cut off his thumb, is not to be followed.[17] Nor is Samson, who killed himself along with others.

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[15] The arguments about voluntary poverty were a recurring theme in medieval thought. Vives does not consider it.

[16] Possibly this is a reference to Augustine's letter to Consentius about lying, which Augustine argues should not be done even if it can be shown that holy saints did it. The references in the Ypres report are not like the references in Vives' report for Bruges: they are not quotations, and for the most part they are made about the wisdom of the Church fathers, apparently more comfortable referring the letters of Jerome and Augustine than with scripture. This arguably reflects a climate where misinterpreting the scripture could be dangerous - which if true reflects on Vives's relative confidence.

[17] This refers to a legend that St Mark cut off his thumb so that he would not have to serve as a Jewish priest. (Aquinas cites Jerome on the point in the *Summa Theologica,* 185, Article 2.)

If we consider the nature of begging, it is clear that it does not help people to blessedness, unless it is accompanied by meekness, patience and honest humility. A good example is Lazarus, who was not considered more blessed because he was a beggar while Abraham was wealthy: Abraham did not rest in Lazarus's bosom, but Lazarus rested in Abraham's.[18] That is why saint Gregory says : "Poor Lazarus came to rest ... but rich Abraham took him in his bosom."[19] We should not suppose that Lazarus was taken by angels into the bosom of Abraham, because he had begged: rather, it was that he suffered the cross of poverty, and its many miseries, patiently and without grudging. That is enough of that subject: one must always take care, as

[18] A reference to Luke 16.

[19] Gregorius Maximus, *Moralia in Iob*, 10:30.2. The quotation uses the same words as Gregory; but the words that are missed out are about the rich man going to hell.

Comicus says, to do “nothing in excess”.[20]

There are people everywhere who are needy and weak, who have no support to meet their needs, and we have to allow them to beg if their lives which would otherwise be in danger are to be saved. Allowing people to beg is a wise policy; if it is well ordered, it is lawful, beneficial and just. It helps people in need to live, were otherwise they would lack essentials and be unable to get help. Every person is created with the drive to self-preservation; so one of his principal concerns should be to provide the things that are necessary. It often happens that someone who can find no provision to maintain his own life asks for the help of others. This is not a reason why anyone should want to beg. Solomon the wise prayed fervently that it might be kept from him, saying, “Give me neither poverty nor wealth”[21]

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[20] The phrase was attributed to Plato Comicus, an Athenian playwright whose plays have not survived. This is a reference, then, to something the writer of this report could not have read.

[21] Proverbs 30:8

And he explains the reason: "If I am reduced to poverty, I shall steal and blacken the name of my God".[22] Solomon wanted to avoid both beggary and riches, as two evil extremes. He wanted only what was needed to maintain his life, as a middle way between two vices. Tell those who would rather make an uncertain living on the streets, than be sure of a living at home, that they are close to a great danger. According to St Augustine, people are tempting God, who put themselves at risk of death, or mortal sin, which they could otherwise avoid by using their reason.[23] That is what they do, if they do not abhor the peril of begging like Solomon did: they choose a risky living, preferring it before what is certain.

The excuse they make is that we must trust in the charity of good men; there is no excuse for that. In the beginnings of the Church, when Christian men (as St. Jerome tells us) had more charity than they have now, the best and holiest of them did not trust to

[22] Proverbs 30:9.

[23] Augustine, *City of God*, Book 16 ch 19.

charity, but worked for their living, in case they should be a burden to anyone. How can they refuse what is certain and trust to uncertain charity, especially now when Christian charity is so cold, and holiness and devotion so badly decayed.

Others that go begging, not because of their faith or because of their need, but to support their idleness, and cover their wickedness. They pretend to be poor.[24] They live idly, and under the cloak of begging they craftily hide their laziness and mischief, to the

[24] The Latin word originally used here is *pseudopauperes*. The contemporary translation in Britain might be "scrounger"; but the pattern of scrounging is pretending to be in need in order to beg, rather than to receive public relief.

great cost of the State.[25] This kind of begging should be forbidden, so that they should not turn the goodness of good people to evil use. It would take too long to describe every example. This is the reason why manufacturers could not hire anyone to work in their shops, why servants and serving girls withdrew their labour from the citizens, and put their hope in the gain of begging as if it was a secure income, It reached such a point, that once people were brought to begging by their idleness, that they would never leave it, for warning or advice. Like a pig in the mud, they delighted in it, and

[25] This is such a modern way of thinking that it seems almost anachronistic. The Latin phrase is *"magno Reipublicae dispendio"*. *Dispendio* can mean loss, but it can also mean expense or cost; *Reipublicae* is a commonwealth or political community. Ypres was a political community, but as part of the Spanish empire it could not be what we would now think of as a city-state. Marshall translated this as being "to the great undoing of the commonwealth". Other documents in the archives do however emphasise that the Ypres magistrates were expressly concerned with financial burdens (see Nolf, 1915).

they would not want to change their wretched state even to be rich.

They went so far into vice that the children, who nature prepares for virtue[26], were brought up by their evil parents in the wicked arts of begging. Even from infancy, the young ones learned to cast away honest humility, and became bold and brazen. They soaked them with idleness, and used them for cheating, lying and bragging, taking the opportunity for every vice. Youth takes to nothing so readily as it does dishonesty, and nothing is harder to leave behind, for it is very hard to pull anyone away from vices that have become nature after long use.

Poor people should be helped, like orphans, with oversight of public tutors and the care of governors

It is plain that many poor people have so little ability to manage, and so little prudence, that they cannot provide for themselves, and look

[26] This is the opposite, then, of original sin.

after their own interests. They cannot get their own living, or spend it carefully as they ought to do, but often they waste it wickedly.[27] This defect is common almost to all beggars: they have no sense of economy until they are driven to it. All they think of is bellies and mouths; nothing is saved. Therefore there are many times when they suffer badly from hunger. Of all sorrows, hunger is the one they can least avoid. They take their pleasure in riotous behaviour. They are not content to be poor, or to have plenty; they have no thought for tomorrow. They live for pleasure, without

[27] The accusation that poor people only waste the money they are given has been a recurring theme of discussions of poverty for centuries. Seebohm Rowntree tried to deal with the problem by defining two standards of poverty: "primary" poverty to indicate perfect management of resources, with no waste or luxury of any sort, and "secondary" poverty to encompass the rest. He was able to show that even if people managed their resources perfectly, they would not have enough to live on (Rowntree, 1901). The standard of primary poverty was the basis on which benefit rates were ultimately set in the UK.

thought or wisdom. They do not remember what has past, and they do not look for the future. They throw away what they have, and what other people have. They waste everything and spend prodigally, keeping nothing for themselves against the time to come. Ants are wiser; they gather in summer what they need to live in winter.

That is why we must both pity and help these people. They are in a worse state than fatherless children, who are destitute of all comfort, castaways of the world. They are like the ghosts of dead men, crying for the help of good people. They are truly poor, in name and deed, when they hang on other people, and their life and health lies in other men's hands.[28] These are the people who we should help, and who God has left among us to exercise the works of virtue. These are the people that God wants us to look to, because for ignorance they cannot look to themselves. They are pitiful, and worth our pity. We should

[28] This echoes the link of poverty and dependency referred to in Vives' work for Bruges, in volume 1.

relieve and comfort them with our good works. We should not despise their nature; it is the same which the maker of all things was content to take as his own.

We may care nothing for them, but they are our own brothers, for they have all one father with us in heaven, and they are members with us of one body, quickened with one spirit, redeemed with Christ's blood, regenerated by one source, sworn to the same sacraments that we are, adorned with the same gifts. Why then, for pity's sake, do we pass by their hearty sighing with deaf ears? Why do we pass by their lean and shrunken limbs for hunger with our sight obscured, and have no compassion, as though we had nothing to do with them? Every day we allow them to waste away and die through hunger, thirst, and nakedness, through our lack of action. So it is said: "the poor committeth himself unto thee: thou art the helper of the fatherless."[29] What does holy scripture more often teach us, than that we should use mercy, that we should

[29] Psalm 10, verse 14.

remember the poor, that we should relieve the decayed,[30] and pull back into the right way those who are in error. If we do not this, surely their vices shall be attributed more to us than to them.[31]

It follows that some men should be appointed (as we see done to pupils) to look to the poor and to help them in their need, so that they be relieved from the weight of their miseries, and should feel less pain than they did before. If it is right that a gentleman's child should have a tutor[32] appointed to look after him, and if dumb animals have keepers - the sheep have a shepherd, the cow a cowherd and so on - why should it be only these needy folks, that are men as well as us, who wander up and

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[30] This is an ancient way of expressing the idea, and I have left Marshall's word for it. In feudal times, charity was understood as implying a response appropriate to a person's status, so being in reduced circumstances was a specific concern.

[31] This again reflects a sentiment in Vives's work.

[32] Marshall adds the word "creanser" in his translation. The title was used for senior university tutors charged with students' welfare.

down without a tutor or keeper? [33] As they have no personal supervisors[34] to look after them, there needs to be a public provision, in case they are not looked after, but despised, wasted and lost. If we knew what brotherly love requires, we ought not just to relieve them, but also to make sure that they do not suffer. Although poverty is accompanied with many disadvantages, a large part of them is taken away by assistance when one person helps or comforts another. No-one has such a wide understanding, or such wealth, that he can do it alone. That is was it was necessary to have many men's help, who order the common benefit of the city, as if they were tutors, by speaking together and common agreement.

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[33] The argument is not just paternalistic - that poor people should be supervised because they are incapable of making their own decisions. It also seems to say, "everyone else is controlled - why not them?" It lends support, then, to Michielse's argument that the focus in these reforms was a disciplinary regime - policing the poor (Michielse, 1990).

[34] Here, Marshall used the word "overseer".

By the Emperor's command, sturdy beggars should be banished from the realm

The laws of the Church determine that alms should be given to people who are feeble and weak, broken with sickness or advanced in years, and to those who through incapacity are not able to make a living. The same laws consider those who are healthy and strong, but who take alms, as thieves and robbers. The most noble Emperor, following the decrees of the Church, for the ease of his people, has ordained that these sturdy beggars should be banished from the realm, for the atrocities that they often commit. By that means, when they were no longer permitted to beg, his people should have more peace, and the devotion and charity of good men should be the more bountiful for those who were really in need among them.

Despite that, up to now little attention has been given to the rule, and the matter has been laid aside perhaps through the negligence of those who are sworn to deal with

malefactors, and to protect good men. For reasons that are not clear, virtually no-one makes any inquiries about the lives of beggars. Few men correct their faults; they let them pass as if they were beneath their noticed. If they do punish anyone, they sometimes put themselves in great danger, and they get no advantage from it. The Emperor's command was not enough to deal with all the faults of beggars, because it is only concerned with sturdy beggars. In order to prevent the common errors and follies of others, it was expedient to make other ordinances, serving as railings to keep harmful and wicked people away from pride and wantonness.

The four prefects of the poor[35], most prudently decreed by the Senate for the public welfare

The chief office of a Senate is not only to preserve the welfare of a commonwealth, but also to make it richer and better.[36] For the common good of our city, we have thought it

[35] The original is *pauperum praefectis*. Marshall added the word "overseer", which was taken up and reflected in English legislation for three hundred years after. (That does not really amount to evidence for Elton's contention that Marshall might have written the Tudor poor law of 1536 - it only shows that Marshall had some influence on it.)

[36] Government is often represented, in the literature of political science, primarily in terms of the exercise of force, and arguments for a "nightwatchman" state are held to limit government to an essential minimum. There are, however, other traditions, and one of the main ones, represented by Edmund Burke in the eighteenth century, is that "Government is a contrivance of human wisdom to provide for human wants" (Burke, 1790). Many of the governments formed in recent years in Europe have been established with the primary objective of ensuring prosperity, rather than defence.

right to provide for our poor people, whose harmful begging, not just with evil behaviour but with other ills, was damaging our public welfare. Because our other business prevents us from doing it ourselves, and it would not be done otherwise, we have taken advice and wise counsel, and agreed a decree. We have committed the diligent execution of everything related to the administration and oversight of the poor to four leading citizens, men of good name and reputation, known to be trustworthy and to live well.

The functions delegated to the prefects of the poor

First, they shall be like common parents to the poor of our city. They will bear towards them the same parental care as they would to their adoptive children, for so they are. They will provide meat, drink and clothing, and other necessities, with prudence and even-handedness. Everyone will have enough to sustain themselves, and no-one in the whole

city will be seen to go begging. Beyond this, they will warn the reckless, idle and wild vagabonds, those who do no good to themselves or to others, who were given to wasting the fruits of the earth, that they should turn to a better order, and live more temperately; they must subdue and hold down the tickling of pleasure with the exercise of restraint. They must also show them, often, that nothing is so appropriate for the poor, as to live temperately and honestly.

Those greedy people, who have no thought or intelligence, who do not look after their own business but spend everything rashly, must be told that they have to look after their own household. There is no magic stronger than good exhortation; it provokes and pricks people to know their faults and change. The prefects must take special care

that young people[37], each according to their nature, either be sent to school, where they may learn both to know Christ and to be well educated; or, if their intelligence is not able to cope with it, to set them to learn crafts, so that they may learn an occupation by which they may be able to earn a living for the rest of their lives.[38] There are two benefits: providing for young people through diligence and work, and for the reputation of the city, which permits no-one to be idle. Xenophon tells very wisely, that the chief hope of a commonwealth lies in the honest bringing up of children. It is no small matter what manners and skills they are brought up with. It is better to be well taught,

[37] The report by Vives, in volume 1, makes particular mention of the education of girls and young women. Marshall refers only to "young men". The Latin original refers to *adolescentes*, which makes it difficult to know which route the Ypres scheme followed; but it is clear later that there is some specific provision for young women, including apprenticeship.

[38] This is the first indication of positive services to poor people: the education and training of young people.

than to be well born.

The older, uneducated people, who have spent their youth impiously and in error, and are now worn out through wickedness, must be helped and counseled to come to the path of virtue. Young people, who have been corrupted through evil fellowship, who frequent wicked places, and lose both their money and souls : the prefects must handle them, so that they will have no desire to keep bad company. Sturdy beggars, who do not want to work for their living, will be set to work with their hands[39], because otherwise, to their own detriment and that of the community, they will sinfully feed their idleness through the charity of good people, and take advantage from the work of others. Finally, it will be part of the role of the Prefects, with reason and good advice, to admonish rash and unruly people, who will not obey . They will correct them with the rod of justice, as appropriate, lest they grow worse.

[39] "Setting the poor on work" was a core principle of the 1601 Poor Law in England.

Judges and laws have been ordained to ensure that those who do something wrong should be punished, according to justice.

The public examination of the cases of poor people

So that many people may be better content, it is appropriate for the prefect to meet twice in every week, sitting together a house that is open to everyone. There they will deal openly with the cases of poor people. They will deal nobly with them, without any grim countenance, receiving everyone that has a complaint to make, whether it is just or unjust, true or false, and without regard to the manner of their complaints, so that no-one, however forward they may be, should leave without comfort and ease, without their case being dealt with as reason allows.

It is certainly a good and praiseworthy thing for great and noble men to be occupied in such public business. It should not be despised, because only the domestic and low

matters of poor people are being considered.[40] They should be treated with even greater respect, for such work is undertaken only for the grace of God, without any profit or material reward.[41] Poor men no doubt are members of the city as well as rich,[42] and they should be considered much more than others, because they have greater needs. The benefit of poor people should be promoted without disagreement, and everything should be done by the wise advice and authority of many men. The law provides that the curates of churches and other preachers, indeed all the clergy (to whom chiefly is committed the cure of poor

[40] This is effectively the same point which Vives begins with in his preface, in volume 1. It suggests that there was otherwise a common perception that matters concerning the poor were beneath the nobles; they would not have needed to stress the point otherwise.
[41] There may be an implication here that justice was liable to be bought, and judgments of the poor offered little by way of pecuniary advantage.
[42] There is a political argument here which is based on common citizenship, rather than common humanity or Christian community.

men) should be called to this common sitting, because they are responsible for the care of the poor. This means that the common welfare of the poor may be furthered by the public help both of the spiritual and of the temporal. The judgment of many wise men joined together helps to open up and clarify uncertain matters; this is important to deal with difficult business, because no one man alone sees everything. That is why the philosopher, in the third book of the *Politics*[43], says that two heads are better than one.

The sub-prefects established to look after the poor

This is a difficult business, and so that it may be handled better and with greater care, we thought it necessary for the prefects to choose four others to help this matter, in every parish.[44] They should be people who are used

[43] Aristotle, *Politics*.
[44] These were the "*dischmeesters*" (Nolf, 1915, p xxviii).

to looking after the poor, and to distributing alms. They should be fit for the office, and also have a great zeal and desire to help poor folks. When they were chosen, they were given the responsibility by the prefects of visiting the poor-houses, shops, and cottages of the poor and needy people, and to note surely where, what, and how much help they all needed. Beyond this, they had by evidence and conjectures to get the knowledge of their condition, their health, their homely and secret woes, their manners, and (as near as possible) their merits, and to write these in a book or tables ordained for the same purpose.[45] On a specified day, they then had to present the sum of the thing to the chief prefects of the poor.

[45] Practitioners will recognise this process. It is, effectively, a needs assessment, and the task being undertaken comes very close to social work - in particular, the assessments of need for social care currently being undertaken in the United Kingdom.

Subsidiary functions[46]

These men did their work with care, and researched everything, so that when they were asked what number of poor folks were in the city, they answered that the number was much more than could be easily provided for. To sustain them, it was necessary for the rulers and Senate to set up a common treasury, so

[46] Marshall's title was "Of the execution of the sub-prefects' office", which on the face of the matter makes more sense as a sub-heading. The true subject, however, is the establishment of a common treasury.

that this could be done.[47]

How the money should be collected and gathered

The collectors for the poor, every man in his parish, shall go round each week to every

[47] This very short section seems to suggest that the common fund was found to be necessary because the prefects had been in place before this regulation and were seeking resources to fulfil their role. If the statement is true it would also have to have happened that the role of the prefects was established and the scheme put into practice some time before the ordinance of 1525. This is conceivable: the *dischmeesters* would have been appointed for the regulation of able-bodied beggars, following the imperial decree of 1515. It is more likely, however, that it is not true. The scheme at Ypres was modelled on the scheme at Mons, and the provision of a common fund was instituted directly as part of that scheme. The writers may have sought to claim the scheme had developed gradually because confessing to the alternative - imposing principles which had been tried and tested in other places - might have been thought to justify the argument that the scheme was influenced by the Lutheran heretics.

man's house to ask alms for the poor. Likewise upon holy days, mainly at service time, they shall ask for an offering from every man to help the poor men. Besides this in every church, as the old established practice has it, there will be a collection box where every person can privately put in what they will.[48] It would help not a little to increase the subsidy for the poor, if the curates and public preachers help and advise people to do as much, in open sermons, and in private communication. Their lively voice has more efficacy, strength, and credibility than the sighings and sobbings of a thousand complaints of poor people, and they do more good than the heavy and piteous crying of the wretched. It would help, too, if the part of alms that comes from public distribution or general feasts, and the remainder of goods not bequeathed but left to an uncertain use, were put into the common box for poor men, with

[48] This was a crucial point for the Sorbonne: there had to be opportunities for voluntary charity, even if there was a municipal fund.

everything else being faithfully bestowed according to the ordinance and will of the founders.

An edict that poor people should stay at home, and not run wandering about

Once there was enough money raised to begin this ordinance, by the people's free and ready generosity[49] and to help the current need of the poor, this decree was promulgated, and proclaimed by the town crier:

> We, the Senators and Aldermen of this city, by the authority that we have in ordering the commonwealth, ordain and command (such is our manner of

[49] This seems to be the ordinance of December 1529 or January 1530, introduced four years after the introduction of the scheme of poor relief (Salter, 1926, p 32; Vandenpeereboom, 1878, p 315). The harshness of the policy towards the poor was part of the substance of the complaint of the mendicant orders.

speaking)[50] that the common poor folks of this our city, from now on should stop begging in public and also keep their children from begging. They should be content to be provided for at home patiently, without their labour, and they will have meat, drink, and clothes as they need, provided by proper and honest officers ordained for this purpose by our common agreement. If they will not agree to this, they should not expect other than to be punished according to their deserts.

[50] This interjection - which is faithful to the Latin original - emphasises that the document is a report on the ordinance, not, as is sometimes thought, the ordinance itself.

The ordinance is read at Ypres (from the painting by Jan Swerts) [51]

[51] The picture shown here is by Jan Swerts, who was commissioned by the magistrates to depict the process of reading the ordinance. The mural was destroyed in the bombardment of Ypres, but fortunately there is a nineteenth century copy by Meyer, reproduced in Vandenpeereboom (1878), from which this image has been taken.

Vandenpeereboom identifies the four main figures behind the town crier as being, from left to right, Colard de Wulf, who first proposed the policy; Philip van Houtte, the town's advocate; a doctor of the Sorbonne; and the Provost of St Martin's. Behind them stand the assembled officials, prefects and sub-prefects.

The reasons for the new law

This new law and arrangement should not have been needed, if evil behaviour and vices had not grown among the poor. The law was a wholesome way to prevent this, and to heal the diseases of the poor. These strong and lazy beggars everywhere were living at their pleasure without any labour, in sloth and idleness, like drones. They were a nuisance to many, eating other people's food, always wandering, always unstable, without the restraint or control from anyone, shameless, unpunished, running as they pleased. They thought it was lawful to do what they liked, and whatever they had evilly gained they spent sinfully, through dice, gambling, banqueting, drunkenness and other vices not to be named. The law was made to stop those errors. It should bring these wastrels from idleness to labour, from pleasure to profit, from wasting to saving, from wild begging to

well-ordered living.[52] It is a felicitous policy, even if like other laws it began with men of evil manners.

How humble people should be cared for[53]

Many people are so naturally ashamed and fearful, that they would rather hide their need than disclose it, and they live at home in serious want. Because of them, it has been decreed that people who are needy secretly and in private should be searched out. Those who are ashamed to be seen shall be visited, and those who are too ashamed to take

[52] This points to the disciplinary character of the policy. It anticipates policies over the next three hundred years.

[53] In the Latin edition, this heading - one of the few retained from the 1530 submission - is in capital letters, unlike the others; the only other section in presented in upper case in the 1531 edition is the judgment of the Sorbonne. That may suggest that this was the beginning of a second part to the book.

anything shall be given support.[54] Men will go to the houses of those who do not dare speak to us or to come to our gates. We think it best not to delay unless they are driven, through the loss of this honest humility, to show their deprivation and need. They must be helped, privately and promptly, lest they are lost by our negligence, when they are just those who a caring charity requires us to help. No man can be thought merciful, or a proper Christian, unless he sees and feels other people's

[54] The subject of "stigma" has been a significant element in discussions of social administration for much of its history (Spicker, 1984); problems with claiming, and reluctance to claim benefits, have been recurring problems with the administration of benefits. Stigma and the reluctance of people to claim benefits were often attributed to the deliberate deterrent policies of the Poor Law. This passage shows it was an active concern long before the passage of such laws. Ypres had responded to the problems directly, by sending out the officials to find problems, regardless of whether the person in need wanted it. This looks, in modern terms, like a take-up campaign; what is not clear is whether the reluctant claimant had the option to refuse.

troubles as keenly as he feels his own. Christian charity shows us that we are members of one body. Each of us should always be ready to help and ease another person's troubles.[55]

Increasing resources for poor people in need

Besides all this, our poor people will be at liberty, as they judge it, to go to any honest men, specially to these public officials, to the curates, to the preachers, and to their loving neighbours, and show them their needs. In that way, when the condition of their household and their poverty is once known, it may be referred to the prefects. Once they know of it they should look for and speedily provide what is needed for the relief of the poor people. This is so that they will have food before they are

[55] The word here is *incommoda*, which is the opposite of *commoda* or benefits. The concept that is being used is, more or less, the same as the idea of "diswelfare" coined by Richard Titmuss.

hungry, alms can be given sooner than they are asked for, and need (which often drives people to dishonesty) should be prevented with assistance in good time. It is a late benefit - hardly a benefit at all - that is given to a man in need.[56]

How the former practice of public begging is regulated

It has been tried many times, in many ways and with many good laws, to bring poor people to a manner of more honest living. Despite that, it has not been possible to do it, all the work has been lost, and all the research has had no effect, as long as the remedy of assistance for the former beggars came to nothing. Now, however, through the goodness

[56] This is nearly the same as something written by Vives. Vives writes "*Serum beneficium post opportunitatem, immo non est beneficium*" (Book 1, Chapter 11). This report writes "*Serum utique beneficium, immo vix beneficium*" - which is close, but not close enough to establish a direct link between the texts.

of God, and the generosity of devout people, people's needs are sufficiently provided for. Because of that, begging from door to door, which is the sink and puddle of many vices[57], can honestly be prevented. Because in this way no-one is left in need, it is also possible to ensure that no-one should beg. If it is necessary to make provision that no-one should be really wretched, why should it not also be necessary to provide for no-one to seem wretched by begging? If, as Seneca says, it is only need that compels people to beg, and if there is no better reason for begging than want, why should it be unreasonable that poor people, when they are provided for all their life, should be held back by the laws of the city from the infamy of public begging?

What does it mean when people are not in need, but every day present themselves as counterfeit paupers,[58], visiting rich men's

[57] This is Marshall's phrase - the Latin only says "of the many vices".

[58] A repetition of *pseudopauperes*, which seems to be a recurring theme.

houses, walking up and down in the streets under pretence of poverty, as if they had no living? They are always asking, always taking, always striving to have more than their condition requires. It smells of knavery; it is simply deception to ask from others what one has at home without having to work or being denied.[59] A poor man should after his degree, which is small and little, be contented with little.[60] As Saint Gregory witnesses, it is an example of great pride to ask for more than one needs[61], and surely what is got by feigned poverty, or pretended holiness, is craftily stolen. It is better to follow the soberness and discretion of the holy poor men, in Jerusalem at the beginning of the church, after they were converted to the faith. They lived contented with the alms that were given to them, neither

[59] The word *fraudati*, used in the initial submission to the Sorbonne, has disappeared, but this section makes up for it.

[60] The idea that people should use things according to their "degree" is characteristically feudal.

[61] Gregorius Maximus, *Moralia in Iob*, 16:2. The quotation is not precise, but it is reasonably faithful.

running nor begging anywhere. They stayed at home, and applied themselves quietly and thankfully to prayer and contemplation.

Among the pagans[62], begging was not usually allowed

Because beggars lived a slothful and an idle life, to their own hurt and other men's beside, the political writer Plato judged all manner of beggars to be put out of his Republic, so that there should be as few idle people in it as possible. The Massilians also, who all the world thought very wise, provided for their city that neither beggars nor any other unproductive person should enter it. The rulers of Athens, too, had made such provision for their citizens, that they were not permitted beg anywhere. The Romans took care that no beggar should be seen anywhere in the city. Besides all this, the Jews were compelled by the law of Moses to have a scheme for the poor, in case they might be driven to beg,

[62] That is, among the ancients.

which the law disapproved of. So it was written, “Among you shall be neither beggar nor needy.”[63] It should be allowed that something may be done among Christians which is so often commanded by the gentiles.[64]

[63] There are not many statements in the report presented as a direct quotation. This is one, from Deuteronomy (the reference is given in the Latin text), but it is not accurate. The Vulgate has *“et omnino indigens et mendicus non erit inter vos”* (Deuteronomy 15:4), while the text here has *“non erit inter vos mendicus & egenus”* (i.e, the needy).

[64] The theology here is rather careless; it seems to suggest that Christians should follow the practice of heathens (‘pagans’ to Marshall) and classes the Old Testament with the practice of gentiles.

Among Christians, begging from citizens may legitimately be restrained by laws [65]

The freedom to beg in public may be restrained by civil laws. This is plainly declared by Master John Major, the excellent divine and most learned man. In his chapter on alms he says this: If a prince or a commonality ordains that there be no beggar in the country, as long as there is provision made for impotent persons, it is well done and may lawfully be done.[66] The same is said by Bishop Gravacenser[67], who found work for whole and

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[65] This short section - with a different title - is one of the only passages which has been retained from the 1530 submission to the Sorbonne.

[66] This is a crucial element in the contemporary dispute, so the citation of John Major - at that time the Principal of the University of Glasgow, who made regular visits to Paris, and had recently become a French citizen - was judicious. The text is attributed by Ashley to Major's *Commentaries on Peter Lombard*, published before 1516 (Ashley, 1906, p 166-7).

[67] The documents used by Nolf refer to Granacenser, rather than Gravacenser, but I have been able to trace neither name.

strong men, so that they could exercise and use it to get their living. Those who are broken, sore with sickness or age, or lack the strength to work, he keeps by charity. They stay at home praying for others.

An account of the money must be given by the officials [68]

The administration by officials of other people's money is often held in suspicion, and many have been slandered and risk losing their good name. Lest the Prefects and other officials might be blamed, defamed and misreported among the people, or it be thought that they are not dealing honestly, the Senate (which is in the city like as the soul in the body) has wisely provided that accounts

[68] There is a section under the same title in the submission to the Sorbonne, but the procedures in that document describe.a much less developed procedure where accounts are rendered before the whole Senate (Nolf, 1915, p 100-1).

shall be rendered.[69] They should be presented once or twice publicly before the rulers and head officers at specified times[70], including all the money gathered as well as distributed to the poor. One account should be made by the prefects every half year; another by the administrators every month, publicly before

[69] Financial accountability is basic to social administration. It tends to be emphasised less in contemporary literature on welfare in developed economies, but it is still a major issue in developing countries: see, for example, the work of Transparency International at www.transparency.org.

[70] The word "*rationem*" here could mean planned, reasonable, or systematic; but Marshall's interpretation, that it implies a fixed schedule, is probably the most plausible.

the prefects[71], in the same way that is used to

[71] Marshall's version of this key passage is radically different from the version presented here. At the outset he mistranslates the word *syndicos* as "occupiers". Then he writes: "accounts shall be made once or twice openly before the rulers and head officers at times certain, of all the money as well gathered as bestowed upon the poor: that is to wit, one account to be made by the prefects every half year, another by the sub-prefects every month, openly before auditors lawfully appointed for the same purpose, in such manner as they use to account of common rents appertaining to a city or to a prince." The reference to a procedure of public audit, written shortly after the Ypres original, in 1535, is significant in its own right, even if it does not faithfully reflect the original source. The Latin actually says this should be done *coram praefectis*, in the presence of the prefects. The line of accountability which is being described in the Latin text seems then to be hierarchical, not one based on independent audit: prefects report to the Senate, and administrators (*administros*, not sub-prefects) report to the prefects, who are delegated with the authority from the Senate for the purpose. Marshall's choice of the word "auditors" probably reflects a practical understanding of the way that taxes were accounted for, and it foreshadows modern procedures for the management of public finance in a

account for the taxes [72] due to a city or to a prince. God forbid therefore that any man should unadvisedly reproach or defame the men responsible for the commonwealth, seeing that the Emperor's majesty often puts them in a position of trust, with much more weighty responsibilities (than the administration of poor relief), like the order of a commonwealth, or the rule of a whole town.

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way that the hierarchical accountability in the original does not.

[72] Marshall renders this as "rents" - he seems to be translating the ideas into terms that would be recognised within the English legal system.

Credence should not be given lightly to false accusers [73]

It is unreasonable to think evil of a good thing, and besides it is a shame to have a worse opinion of our neighbour than we would want others to hold about us. We ask, then, every man not to give easy credence to accusers who spread among the people uncertain tales for certain lies instead of truth about those who distribute charity. Men should follow the example of the emperor Alexander, who lent one of his ears to the accuser, and the other to the defendant, meaning that he would hear both their causes, in case by easy credence or over- ready belief he might be deceived.

[73] Vives mentions the issue twice in passing, once in Book 2 Chapter 2 (when he says that evidence should not be taken from poor people about other poor people) and once in Book 2 Chapter 3, when he says that prefects should disregard rumours. This section, however, seems to be concerned with rumours about the administrators of charity, rather than the recipients.

How both strangers and poor residents should be helped

God approved nothing better than kindness towards our neighbour, for he that loves his neighbour fulfils the law.[74] We think then that pity should be stretched to all poor people on every side, but yet in such manner that order is maintained. We prefer our own citizens, whose persons and manners we know, before strangers with whom we have no

[74] Romans 13:8 (the quotation is not quite accurate).

acquaintance.[75] We are duty bound to look after them, because they are members with us of one political body. We would be as ready to help anyone, but our resources are scarce enough to mean that we can help perfectly the need of our own poor folks; it is not enough to meet the needs of every man.

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[75] This is a frank statement of "particularism". In particularist thought, people have moral responsibilities to others, but they do not have the same moral responsibilities to everyone; there are both general responsibilities, to everyone as a human being, and particular responsibilities, implying special duties to some by virtue of personal relationships. MacIntyre, for example, writes that 'we all approach our own circumstances as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be the good for one who inhabits these roles.' (MacIntyre, 1981, pp 204-205). People live in families and communities, and those duties are special and distinctive. That is why "charity begins at home."

How strangers and wanderers will be treated in the city, according to their need

We know that strangers ought in no wise to be forgotten, and that means that we are content for those who by any chance should come here to be received into the city. However, this will not be done the old way, openly begging in streets and lanes. If room was given for the old, immoral freedom, our purpose would be broken and our law would fall apart. We give therefore to every poor stranger what he needs, and we are able to provide: that is, food for those who are passing through. For those who are wearied, we provide meat and drink and beds, and other necessities, in public hospitals. Those who are sick, and because of their sickness are not strong enough to complete their journey, we treat favourably, comforting and refreshing them, for two, three, four days or sometime longer till they are strong and be able to continue.

In what circumstances strangers will be admitted to dwell in the city

Those strangers who come to live in our city and to take alms, with a great flock of children, we do not accept. That is except when some necessity, or some great catastrophe (such as happen by war, shipwreck, fire, or some other such peril) makes us receive them into the number of our poor.[76] We take no more of these people than the public purse can afford to maintain. We think there should not be more asked of us than we can give, unless after a period of giving indiscriminately we imprudently bring ourselves to the point where we can no longer help either our own poor or strangers. There is nowhere in the world that can to receive and contain all poor people. There no common chest anywhere that could sustain them all.

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[76] There is a parallel with the contemporary status asylum seekers and stateless persons, but the provision here is more liberal; seeking help because of famine or catastrophe is not considered "bogus".

No house shall be let to any stranger without the consent of the Senate

This is why we have decreed by a public statute, that none of our citizens should presume to let any house to a stranger without our knowledge and consent.[77] Otherwise, through the daily increase in the numbers of poor people, a greater burden might grow for us than we were able to bear. Other cities have public hospitals[78] where they keep their poor men. They have also alms from public charity, and daily private alms; they have also yearly help, bequeathed by will. It is appropriate, then, that they have some poor folk for whom they can show their beneficence and charity. We would not have it look as if we wanted to call beggars unto us, or to take from other men

[77] Effectively, this is using housing as a form of immigration control, of the type currently practised in the Channel Islands.

[78] *Xenodochia*: also translatable as hospices or poor-houses.

the opportunity to practise devotions which we have enough of already.

The benefits that the poor of our city feel by this public assistance [79]

It seems appropriate at this point to explain the plentiful increase of good order, and the many benefits that have happened to the poor, these five years and more, through this provision. First, for those who before were put in grave peril in body and mind are now better at ease in both respects. They were piteously afflicted with hunger, thirst, rain, cold, sores, stinking, sickness, sadness, heaviness or otherwise. Sick people were sometimes lying on the ground, sometimes in the field. There was no comfort, counsel, help, or friends. These things are now conveniently provided for, according to need. There were those who for years had no guide; they ran in great number, headlong into destruction,. Now,

[79] This passage is also substantially in the submission to the Sorbonne.

through the help of the prefects, they are kept in the path of virtue. The young men are taken from the bitter craft of begging are appointed to an easier way of life; they have a master assigned to them to teach them such craft and occupation as they are fit to do, and which their wits will serve them for. In the same way, every young women, who in idleness learn to be lazy, have one occupation, to do service to the citizens, to dress the houses, to make ready meat and drink, or to do some other profitable thing. Some are bound apprentices, to learn such things as is proper for women to do. There were those who were forced by need to dishonesty, the bridle of humility being broken and clean laid away; now, having help and support, they are kept from falling to folly. The households of desperate men are now relieved with corn, with clothing, with wood and other necessities, with the exception only of the money which often to profligate people is an occasion for vice. We do not give everyone what he most wants, but what he most needs. Those who cannot support their wife and

bring up their children by the work of their hands are given as much as is thought enough, providing what diligent work cannot provide. Children are often cast out sinfully, through the unkindness of their parents who forsake them; the public kindness of the city receives them. Help is given especially when there is such a good reason that the case deserves to have help and approval. It might be true that, if we were not aware of the problem, evil men might take advantage of too much kindness, and we might as the saying goes lay a pillow under their sins, if indiscreetly we spread our generosity everywhere. Then there is the problem that we could not pass freely, but were turned out of our way, because the beggars, with no regard to person, place or time, wildly and irreverently interfered in church or in the market place, and made us alter our course. God's service can now be renewed spiritually; they will be taught better manners, have greater reverence and love the churches and the saints. The common sort of beggars, who have long have been forgotten

and despised, loathsome to all and mocked by everyone; they are scarcely taken for men, let alone for Christian men. At last they will be brought into an ordered manner of living, and and they are in almost a good state as the rich. Those who have the benefit of this assistance are encouraged to honour God, to receive the sacraments and to live honestly. These and many more other advantages come from our policy, of which (as Sallust said of Carthage) "it is better to say nothing than to say a little."[80]

Of the reckonable benefits that this policy brings to the citizens

Here we will briefly summarise some of the benefits that citizens feel from this policy. First, it is pleasant to relate, the three griefs of the world - beggary, beggars and begging - do not rule in the city as they did before.

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[80] This quotation ("*melius est tacere, quam pauca loqui"*) can be found in several mediaeval documents, but I have not been able to establish where it comes from.

Parasitical paupers, much to the harm of the community, were abusing the generosity of good men. Now they are denied the gains they had from begging, they are being brought to a quiet and sober manner of life.

Those who used to carry fake letters about some pretended loss, and gained money by deceit, are now afraid of the eye and hand of the prefect, and they do not deceive the citizens in the way they used to. Those who were disabled by laziness, or who were strong enough to work, who went begging and refused to work with their hands, are now forbidden to beg, and they are turning again to work in shops or to paid work. They no longer put their trust in begging. Evil idleness is changed with good business. Craftsmen's workshops now are better furnished. Every man is fully occupied.

Those who were ashamed to harvest the benefits of other people's goods and sweat, have a better attitude and find themselves with their own labour. Those who delightedly wasted everything they had in cards, dice and

drink - not to mention worse - now learn to thrive. They gain at home by saving, and beyond their home through labour. They have forgotten the craft of living at other people's expense. Provision is made now for good, quiet, humble people. The rich men's houses are not haunted with these idle parasites. Their doors are not knocked, their ears are not deafened with the wailing of beggars. The churches are not robbed, the altar clothes are not stolen. Evil men do less harm, good men live more at peace.[81]

Fewer petty crimes are committed, and

[81] There are very similar sentiments expressed in a letter written by Joos de Wulf in 1531: "Our poor now stay at home. If the work they do does not allow them to provide for their own subsistence, what they lack is provided. Our poor assist in the services, and take communion. The houses of the citizens no longer hold the cries of beggars. The churches are not plagued by their bad smell. One no longer meets charlatans in inns. Children are initiated into the mechanical arts, or they learn their letters in school. There is not enough time or paper for me to expose all the evils which forbidding begging has made disappear, and all the benefits it has produced." (Nolf, 1915, p xxiv)

not so many outrages. Alms are not wrung out of people by violence; simple people are not deceived by craft and falsehood. No-one takes the charity of the city away from the weak. No-one shamelessly snatches the reward that is intended for good people. No-one cheats the poor. The rich are no longer afraid that their charity might be feeding idle greedy-guts who do not deserve bread. There is no more reason suspicion, because people well know that what is given is not abused, but spent well. Churches, chapels and oratories are given to God's service, without confused noise and imprecations of beggars, and they are now restored to silence, peace and quiet. Our prayers to God are not disturbed with any noise, crying or other encumbrance.

At the gates and church porches too, the disfigured sights of these pretended poor men are no longer to be seen, rough, scurvy and running with stuff that is horrible to look on, evil smelling to the nose and loathsome to tender stomachs besides. Beyond this, the community has less harm and less corruption,

and now that so many sick folk have gone the health of the city is safer. People who are contagious are by themselves[82]: infections have often crept secretly like a cancer, causing much death in the townsfolk, putting many people's life in danger, and leaving many of those poisoned in incurable states. People who are sick or weak are helped by physicians and surgeons, so that when once they are restored to their old health they may be able to carry on, work and get their living. Those who are broken, or have the stone, those who are diseased in their faces or otherwise suffering, are made whole at the public expense, which is

[82] This is ambiguous; it is not clear whether this was simply a benefit of removing the incentive for sick people to press themselves on others in public, or whether people were being kept in isolation.

great.[83]

There are more alms than there were before. Because it is given well, it comes peacefully, with advice and help as needed. It gives people a secure living, and leads them to godliness. One good turn leads to another, and from one good deed sown, many are reaped. All the alms are given in common, so that many can participate, sufficiently for each person.

This does not mean that anyone is prevented from doing good deeds; anyone can give alms privately as they wish. There are many public calls for everyone, according to their condition and to the needs of the time, to send poor people and those who are sick and

[83] For a modern reader, this is an astounding statement. The penultimate sentence in this paragraph says that physicians and surgeons might be summoned to help. In a traditional voluntary health care system that would be treated as unpaid, charitable work. The final sentence tells us, however, that Ypres was not that kind of system: the surgery was paid for by the city. Ypres had a health service, and treated poor people at public expense.

feeble their excess food, especially whatever is left over at dinners, suppers and banquets. More than that, they should send not just the remains, but a plate or two or meat that has been purposely set aside for them.[84] The children of citizens should learn to visit and to love the little cottages of the poor, and the good man and wife of the house should remember to relieve the calamities of their neighbour, not just with alms, but with their presence when they visit, comfort and help in the commission of deeds of charity. Rich people now support the poor sincerely, because they are not troubled or almost compelled to give alms, as they once were. The poor once more loves the rich as their benefactor, from whom they have their living,

[84] Vives mainly bases his arguments for redistribution on natural equality. The argument here is different, and much more typical of the feudal world view. The distribution of goods in feudal society reflected the status, or "condition", of the person. A person was in "need" if they could not maintain their status; if they had luxury, an "excess" or a "superflux", it should be passed on.

and by whose aid they are helped. The poor thank the rich for everything that they have; they give many blessings and good prayers as a token of gratitude, and give them heartily and as liberally as they can. This is why nature has mixed poor and rich together, so that the poor should receive charity from the rich, and the rich should take from God the fruit of their generosity with profit and interest.[85]

We should emphasise, that the cross of poverty in much more easily borne: no-one, unless he refuses help, feels famine or any need. Everyone is so provided for that no-one needs to beg, if they are content to take without labour as much as is enough for nature.

When the city like a common parent handles her members in this way, it is clear proof of godliness. They are not just citizens, but the members of the body of Christ - or rather, Christ himself. Because they are supported at home, they are nowhere to be

[85] This is an oblique reference to Christian doctrine, in Matthew 19:29; compare Vives, Book 2 ch 6.

heard on the public roads, nowhere to be seen in the streets, putting out their appeals to receive alms. Is there anything more more unseemly, than to see many Christian men everywhere asking everyone for alms, as though our impiety had left them forgotten, without comfort and with no help to relieve them in their need? Now, by the providence of God, the poor are in a much better condition, for everyone has to work to help the poor as someone that is sent by God, so that everyone can find the occasion to practise virtue.

We have shown the advantages of our policy more widely here, so that they can be better known. It is in the nature of a good thing that the broader it is spread, the more good comes of it.

What the prospects are for this policy [86]

This policy, like other laws of men, is a guide towards godliness. We have to take care that it should not be harmed by bringing in too great a burden, which could easily happen if some families of poor strangers were to be admitted to dwell in our city. If we received everyone, both the numbers and the cost would grow more and more. It would be better to take them in too readily, than once to admit them and to leave them and others to starve for hunger. It would bring them to ruin and decay, as well as this good law. We should not be so far influenced by the few evils that would come of putting out a few, as we should have to the advantages that come to many of our neighbours by the means of this provision. As Saint Augustine witnesses, in his book *On True Religion*, a man cannot justly help everyone he

[86] None of the three sub-titles which follow seem to be closely related to the actual subject of the paragraph; this may be because the headings had been agreed before the text was written.

loves unless he helps those that are nearest unto him.[87] The small disadvantage have to be suffered patiently, because it is compensated for by the manifest advantage for many. It happens that where there are two advantages, but one is much better than the other, that we may not be able to have both. If we cannot keep both strangers and citizens, because we do not have enough resources, then reason tells that we should leave the lesser advantage to keep the greater one. This principle applies in every good policy.

[87] Augustine, *De Vera Religione*, 47. This is taken to be another statement of communitarian morality, but that was probably not the orthodox religious position. Aquinas had disapproved of the principle, writing that "It would seem that one ought not to give alms to those rather who are more closely united to us. ... Now it happens sometimes that those who are closely united to us are sinful and ungodly. Therefore we ought not to give alms to them in preference to others." (Aquinas, c 1274, II-II q 32)

The stability of this policy

Everything relating to the relief of the poor in the city is now administered with diligent care, true faith and consensus. As it has been in force for five years, it is in accordance with natural justice, and is approved by the public agreement of the populace, it will not decay. As long as people have charity toward the poor, it will stand sure and unshaken. Charity will go on as long as the poor hold their tongues, and the preachers intercede for them. The preachers will profit themselves, through the business of others; that is how they will get favour from God, and the love of the people. They will not do their office adequately, nor will they satisfy the longing of devout people, until, bending to this law, they support the cases of poor people. In their sermons, they must exhort rich men to use their abundance to meet the needs of poor ones. Anything we have that is superfluous is not for our use, but for others. This is clearly shown in nature, for wherever there is a superfluity of

nourishment, nature leads to the production and nourishment of similar kinds of thing. The same is true of our superfluous goods.[88] Reason judges, in the same way as nature, that poor people who are of the same kind as ourselves, should be educated and helped.

It is a very difficult business to provide for the future of the poor [89]

It is clear that the public office of providing for the poor is harder than men think. It cannot be duly executed without great diligence, study and wisdom. Because great benefit comes from

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[88] This passage refers again to the idea of the superflux.

[89] The heading suggests that this is about the prospects of the the poor, but the section does not address that issue; it is instead about taking up the burden of public office. Marshall translates the heading more simply, to say that providing for the poor is difficult. The issue had been raised specifically by the mendicant orders in their submission to the Sorbonne (Nolf, 1915, 43), and this passage can be seen as a response to that point.

it, it requires also great men who care more for the community than for their own profit. This is being said not so that anyone should be afraid to take on this business, but rather that they should be forewarned: before they take such a great weight on themselves, they should consider carefully whether they are fit for it or not. The matter is not so hard, that it cannot be done prosperously, and done consistently for a long time without decline, through God's goodness, and the generosity of the people. It often happens that things which are difficult at the outset become a pleasure, after long experience, through time and by custom.

Argumentative poor people

We should say something about insolent poor people, who obstinately reject a law that forbids begging. They complain, as if a right had been taken from them, that they are not free to beg, when in times past that did what they wanted. They wandered at their pleasure, running up and down, and reckoning nothing

unlawful for them. This is not, as they think, liberty, when everyone does as he pleases; rather it is wasteful licence, which as Comicus says, debases us all.[90] True liberty is ruled by reason. Reason considers not how much one would like, or but always looks what is appropriate. If they think about it, and consider the thing right, they need not complain. They have an honest living, enough for nature. They may not have enough for their pleasure, but they have enough to meet their needs, to find themselves and to bring up their children. You can hear many of them say that they would not want more; they thank God for the generosity freely given to them, and they are glad that begging is prohibited and forbidden.

[90] The quotation is not from Comicus but from Terence, who wrote "too much freedom debases us all" (Stone, 1995, p 243). The distinction between liberty and licence is often attributed to Locke, who was writing more than 150 years later.

The statement of the rulers of Ypres [91]

We declare, that we have not taken this difficult route to provision, in order to cause loss or prejudice to anyone. We have done it so that, with the respect due to the rights of every order, and to every man's state and degree, that part of our City which until now has been without aid, forgotten, despised and denied all help and comfort, might be received into the order and rule of our city, and be better looked after. When these parts are brought together, the whole body of our Republic, which by God's providence we have taken to govern and beautify, will be healthy in all its members, and legitimately enhanced by this policy.[92] In the best prepared state, it may grow, increase and flourish, so that God will be worshipped more

[91] This section, and the next were also part of the submission to the Sorbonne.

[92] This is partly a statement about corporatism - the city is a whole body, the health of its members the responsibility of government - and partly about stewardship, or the responsibility of the governors to the governed.

reverently and the glory of our City will be perpetually renowned. We are not so far committed to this policy that there is no reason or advantage which could not lead us to change our minds. However, the purpose of this institution lies, as far as we are able, in domestic, discreet relief and assistance for poor people. If there is any reason or argument to be made by the considered advice of the professors, whether it is understood by the judgment of wise men or if there are reasons of profit or necessity[93], they can persuade us to add, diminish or change any part of the policy. We will not be reluctant to withdraw in certain circumstances, if it is advantageous for us or an improvement for poor people.

[93] In other words, whether the Sorbonne wishes to make theological arguments or practical ones.

An urgent demand for the approval of this institution, through the judgment and appraisal of the gracious Faculty of Theology of Paris [94]

Whether this method of relief is in conformity with divine and human laws; and your advice, whether it is fully compatible with the Christian religion: we pray with all our strength for your gracious faculty, whose merit is respected throughout the world, to give its honest judgment, to approve a happy conclusion, and to mark out the present book for attention. May almighty God instil in us reciprocal charity, imbue our citizens with a strong disposition to that effect, and foster always your great devotion to learning.

[94] This concluding section of the report, included in the 1531 edition, is not translated by Marshall. It states more exactly what the report's writers wanted the Sorbonne to give a judgment on. It also gives the impression that the report is the text of the submission, which is misleading.

The poor in Ypres: The response of the censors[95] of the School of Theology in Paris[96]

The Dean and the Faculty of Divinity in the University of Paris wrote this to be read and seen.

[We reviewed] the system of provision for the poor introduced by the Magistrates of Ypres, and the comprehensive Latin dossier which was attached for our judgment.[97] We judge this to be a thing which is hard but useful. It is pious and salutary, and not inconsistent with either the word of the Gospel or the example of the Apostles and our forefathers. This is the disposition of what was submitted to judgment.

First, this scheme should be

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[95] This is the same term used by Vives: a censor is a person in moral authority.

[96] This section was included in the 1531 edition, but it is not in Marshall's translation.

[97] The dossier was retained in the Ypres city archive, but the archives were destroyed in the Great War. Fortunately it was duplicated in Nolf, 1915.

administered with great care and diligence. It should be sufficient and provided honestly for all poor people who look for care by the civic community. Whether they are native to the city, or migrants, or from outside it, no-one should because of this provision be reduced to the extremes, or nearly the extremes, of destitution. Where the communal treasury may provide at the lowest level, public begging should not be prohibited.[98] The rich are not relieved of their obligation to help the poor by the position of the community. They should feed those who are *in extremis*, almost destitute or in urgent need.

No-one giving his own property for religious motives[99] should be prevented or impeded by this scheme from giving to the poor, whether privately or in public. There

[98] The original is "*ubi aerarium commune minime suppeteret*". There is an ambiguity here, which I have tried to preserve in translation. Is it saying that the common fund might have to manage with minimal funds, or that it should have to?

[99] The original is "for devotion".

must be no penalty or fine imposed on good works or alms for those in need. People should be exhorted frequently and publicly to give to the poor the goods they have from the Lord, promptly and with a cheerful disposition.[100] With this reservation the secular Magistrates should not under the pretext of piety, or of relieving those without means, presume to commit sacrilege or to sequester the tithes and goods of the church. This would not be {the act) of virtuous and faithful Catholics, but of impious heretics, Waldensians[101], Wycliffites[102] or Lutherans. Notwithstanding this judgment, nothing should be taken away from those clerics who by their office come together as much as possible to perform pious works. Lastly, no decree should forbid public

[100] Compare Vives, Book 1, Chapter 11.
[101] The Waldensians were schismatics who argued for an ideal of holy poverty and challenged the authority of the church.
[102] Wycliffe had argued, in the fourteenth century, that neither the able-bodied poor nor rich churchmen should be supported by Christian charity (Lindberg, 1993, pp 31-2).

begging by religious mendicants, who are approved by the church.

The poor from neighbouring villages are not to be excluded from relief by this scheme: so many work without means, so that from their own resources they cannot get enough to eat. Either public begging must be allowed, or communal funds must be available for support.[103] The city supports the villages, and the villages support the city. The citizens are supplied by food from other places, and however rich they are, if the land is barren, or through other chance events, they will be brought to want.[104] Therefore mutual assistance and support is necessary. This is certain of humankind: they have been granted free will, and what they want for themselves means that they have to be prepared to greatly

[103] The Ypres report had invited the Sorbonne to consider practical issues as well as religious ones; that is what they seem to be doing here.

[104] This seems to be addressed to the communitarian basis of the Ypres scheme, and is more in keeping with Vives's emphasis on interdependence.

in need.[105]

This reasoning is not propounded to break up this new policy, since it brings together many households at one time for peaceful assistance to the poor. From this much good is provided, and serious evil is removed. However, it would be pointless to understand this scheme of provision for the poor simply and throughout as if it was a fixed law of nature, to which no agreement or circumstances would allow for change. The interpretation and adaptation [of the scheme] should be left to the careful judgment of wise and pious men, who will moderate their judgment according to place, time, personal issues and other conditions.

This decision has been made and concluded by us with general agreement after the despatch and discharge of our much visited duty, in the house of St. Mathurin in Paris, the 16th January in the year of our Lord

[105] This seems to be a reference to the Fall: free will led to the Fall, and the Fall led to scarcity and the need to work.

1531.[106]

[106] The Latin original actually says that the date is 1530. This is because the year was conventionally counted from the previous Easter (Mattheeussen, 1986, p 88).

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