Housing Reform and Classical Liberal Governmentality
Before the Social Housing Era

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This paper examines how housing figured in the development of classical liberal governmentality over the nineteenth century. Liberal reformers in Britain and the Australian colonies formulated ‘the housing question’ in terms of the physical and moral improvement of urban workers and the poor. This was a problem beyond the powers of the traditional landlord-tenant legal relationship and disciplinary houses of the poor; instead, reformers proposed to remake housing – and thereby the conduct of poor and working subjects – through sanitary dwellings that preserved the integrity of the household, and through close supervision and moral instruction for the poor, including through the tenancy relationship. It would take a different, ‘social liberal’ conceptualisation of government and housing to produce the first social housing systems that emerged at the end of the nineteenth century, but the problems and imperfect solutions of the earlier reforms helped to shape them.

Keywords — Housing; governmentality; classical liberalism; Sydney.

INTRODUCTION

The question of housing the poor is one of universal interest in this age of great cities.... (Sydney Morning Herald, 1884: 7)

In recent years housing scholars have adopted governmentality perspectives to illuminate the ways in which housing figures in the regulation of persons’ conduct. Governmentality studies proceed from Foucault’s work on the historical development of distinctive modes of power and rationalities of government (‘governmentalities’), and examine the ideas and discourses in terms of which problems for government are conceived, and the technologies and practices that may be applied to their solution. Much of the governmentality literature is focused on liberal governmentalities, which aim to optimise the wellbeing of a population or economy by addressing individual persons as subjects, with certain interests, qualities, capacities and dispositions, who participate in the regulation of their own conduct (Foucault, 1991; 2007; Miller and Rose, 2008). Governmentality perspectives have been applied to owner-occupied housing, through which persons are addressed as financialised investor subjects (Flint, 2003; Smith, 2008; Langley, 2008) and to social housing, where tenants are intensely governed as the subjects of welfare dependency and ‘anti-social behaviour’ (Flint, 2006; Cowan and McDermont, 2006; McKee, 2009, Martin, 2010). Each of these areas connects with different themes in wider programs for governing the advanced liberal present (Miller and Rose, 2008; O’Malley, 2004; Dean, 1999).

This paper examines how housing figures in schemes for governing poor and working persons during an earlier
period of history, before the advent of social housing: the nineteenth century. It is, in a sense, a prehistory of social housing, and is consciously oriented towards understanding the circumstances in which the first social housing programs emerged at the end of the century. When social housing did emerge, it was as a solution to quite a different ‘social-liberal’ conceptualisation of problems of government and housing, but the problems and imperfect solutions of earlier ‘classical liberal’ reformers were influential on developments, and their traces remain today. As Rose puts it, ‘what we inhabit as the present is a “tectonic” space composed where the residues of past rationalities intersect with the phantoms that prefigure the future’ (Rose, 1993: 285-286).

The governmentality literature locates the first formulations of governmental rationality in the sixteenth century science of ‘police’, guiding sovereigns in the administration of their territories on the model of the patriarchal household (Pasquino, 1991). Classical liberalism represents the original ‘police’ reform: in place of the household model, it conceived of the population and the economy, with their own natural processes that worked optimally without administration by decree or other interference, and of individual persons who conduct themselves best – that is, with foresight, diligence, prudence and self-restraint – when they were the subjects of this liberty (O’Malley, 2004: 30-33). A particular problem for classical liberal governmentality was the ‘dangerous classes’ of the poor, who subsisted on the criminal proceeds of depredations on property or – perhaps the greater part of the problem – the ‘demoralising’ proceeds of poor relief and charitable giving.

Housing and the liberal reform of police

At the beginning of the nineteenth century, Patrick Colquhoun introduced his Treatise on the Police of the Metropolis by summarising the problem of governing crime and disorder in London into three basic elements:

1. the enlarged state of Society, the vast extent of moving property, and the unexampled wealth of the Metropolis; 2. the depraved habits and loose conduct of a great proportion of the lower classes of the people; 3. and above all, the want of an appropriate Police applicable to the object of prevention.

(Colquhoun, 1869: preface)

Colquhoun and subsequent liberal reformers sought ‘an appropriate Police’ in narrow and wider senses of the word. The narrow sense meant organised bodies of specialist officers: the ‘new police’ established by Peel in 1829 in London and subsequently, with variations, throughout the Western world (Philips, 1994: 43; Finnane, 1994: Chapter 1). Originally ‘domestic missionaries’ amongst the urban poor (Storch, 1976), the police developed over the nineteenth century to emphasise ‘crime-fighting’ over crime prevention (Crawford, 1997: 20), with prevention increasingly left to reforms for ‘an appropriate Police’ in the wider sense. This meant penal reform, particularly on utilitarian, penitential lines, and an even wider-ranging reform of the government of poverty – that is, of conducting poor and property-less persons to labour. Housing’s role in this governmental regime was diffused throughout the relations that property-less people entered into to get and stay housed: labour relations for wages to pay rent or save for purchase, or familial relations or service in another’s household. For all of the nineteenth century, renting was by far the predominant tenure in Britain, while in the Australian colonies, there were greater opportunities for ownership, but renting was common (Byrne, 1993: 78).1

Two pre-liberal institutions were relevant to this scheme: the landlord-tenant legal relationship; and a special group of ‘houses’, the disciplinary houses of the poor. The classical liberal reform of police attempted to operate on and through each of these institutions, but found each of them limited.

1 There are no aggregate data as to Australian housing tenure prior to the Census of 1911, when about 59 per cent of Sydney households rented (Troy, 1992: 220). Based on research of land grants in Sydney in 1810-1830, Byrne concludes that ‘renting in Sydney was much more common than ownership’ (Byrne, 1999: 287).

THE SOVEREIGN LANDLORD

Landlord-tenant law at the start of the nineteenth century was little changed from the fifteenth century, being directed at protecting a tenant’s possession of a property from interference, and ensuring the payment of rent (Bradbrook, 1989: 108; Plunkett, 1835: viii-x). To that end, the law gave landlords two main actions, both like those of an interposing sovereign: distress, by which a landlord could enter premises and seize the tenant’s belongings to ransom or sell; and eviction, through service of a notice to quit and, if necessary, court proceedings (Small Tenements Recovery Act 1838 (UK); Summary Ejectment Act 1853 (NSW)).

Leases had forceful, drastic consequences for tenants, and Bradbrook observes over the course of the nineteenth century an increasing number of covenants implied into leases by courts, legislatures and some landlords, particularly addressed at ‘nuisances’ (1899: 108, 113). Legal enforcement, however, was often moderated by other considerations, such as the cost of finding a new tenant or writing off a debt (Daunton, 1983: 140). New ways of conceiving of problems of government also revealed limits to what the law alone could achieve. For example, in evidence to a Committee of Inquiry in 1876, Sydney landlord Richard Wynne Esq, JP, told of the ‘difficulty of preserving proper decency’ amongst his tenants:

[Wynne:] Some years ago I entered Richardson and Wrench’s auction room: there was a property in Castlereagh Street put up for sale…. I became the purchaser; I went to see it after I had bought it and found an agent in a charge…. I reprimanded the agent for allowing persons of improper character to get into the houses; he said he could not help it – it was impossible to prevent it. I got another person to take the agency, who felt confident that he would be able to carry out my instructions in letting the houses only to decent working people: in this he also signalised failed…. [The Committee:] You found that you could not control the tenants? [Wynne:] I could not control them…. [The Committee:] Do you think it would be better if greater powers were conferred on landlords? [Wynne:] Yes; under the Landlord and Tenants Act it takes three weeks to get a tenant out (let him be ever so bad) and may take more. (Wynne, 1876: 9)

Although Wynne and his questioners turned to the law for familiar remedies such as faster evictions, the problems they identified – not knowing tenants, ‘preserving proper decency’, keeping houses ‘respectable’ – required different government.

THE DISCIPLINARY HOUSES OF THE POOR

In pre-liberal police, the workhouse was one of the institutions of the ‘great confinement’ of the poor, the idle, the itinerant and the insane (Foucault, 1988: 44-45) – a ‘replica of the patriarchal household’ that put the poor in their proper place, set them to work and thereby, at least notionally, increased the wealth of the state (Dean, 1992: 226-227). Early liberal reformers reconceived its role, proposing that all provision for the poor should be made through a workhouse on the principle that it ‘should appear less eligible to [the able-bodied poor] than the provision resulting from his own labour’ (Bentham, cited at Dean, 1991: 190). The ‘less eligibility’ principle was effected in England by the 1834 Poor Law reforms, and the new Poor Law workhouses, while not quite the ‘pauper Panopticons’ designed by Bentham (Dean, 1991: 183; Foucault, 1977: 200-210), were still quite capable of appearing as ‘a terror to the able-bodied population’ (Assistant Poor Law Commissioner, 1835, cited at Driver, 1993: 59).

2 Plunkett’s introduction to the law of landlord and tenant makes this connection directly: ‘the King is the universal Landlord’ (Plunkett, 1835: i).
New disciplinary houses incorporating some of these features were also built throughout Australia and the Australian colonies (Rothen, 1971; Vale, 2000: Chapter 1; Piddock, 2001), including the Benevolent Asylum built in Sydney in 1821 (Rathbone, 1994: 22). This was not part of a formal program of poor law reform — the colony never implemented the English Poor Law in the first place, which pleased liberal-minded settlers and administrators — but it did operate according to similar principles, simultaneously drawing persons in, through need for relief and the enforcement of vagrancy laws, and deterring persons, through ‘semi-techniques’ on the principle of less eligibility. ‘By confinement in the Asylum’, claimed its administrators, ‘there is no allurement held out to improvidence and dissipation, as the food and clothing provided are of the plainest kind’ (Benevolent Society, 1833: 14); likewise its disciplinary rules, which routinely when taken from rest, attend religious instruction, labour, eat, bathe and return to bed (Benevolent Society, 1821: 17-18).3

By the second half of the nineteenth century, however, the reformed disciplinary houses of the poor were themselves problematic institutions, with their classifications and hygiene breaking down in the face of the austerity with which they had to operate. Over the subsequent decades, the disciplinary houses became targeted to specific marginalised groups (for example, asylums for the insane, missions for Aboriginal persons, and Industrial Schools for juveniles) (van Krieken, 1989) or, in some cases, transformed into hospitals (the Benevolent Asylum eventually became the Royal Hospital for Women (Rathbone, 1994; see also Hall, 1998: 683)). They were not, therefore, the direct antecedents of social housing, but they were a key site in the development of practices for documenting the lives of poor persons as individuals — and hence for ‘making up’ these individuals as the objects and subjects of government (Foucault, 1977: 191; Rose, 1999b: 135-7). They made ‘need’ a crucial factor in this procedure, and organised around it a range of techniques for generating truths about persons as subjects, such as interviews about needs, and advice and instruction from asylum ‘visitors’. And finally, the disciplinary houses of the poor fostered the idea that ‘moral improvement and social control could be achieved through the manipulation of space… No detail of design, however small, could be ignored; to each environment there was a corresponding form of life’ (Driver, 1993: 13-14). Classical liberalism’s next breakthrough was applying this outside the confines of the disciplinary houses to the spaces of the city.

CLASSICAL LIBERAL GOVERNMENTALITY AND ‘THE HOUSING QUESTION’

By the 1830s, police reform had begun to look beyond the problem of the provision of demoralising poor relief, to the problem that a life of labour — specifically in the conditions of industrial, urban capitalism — might itself be demoralising. Whereas liberal government originally made its breakthrough on a concept of a population with its own natural, bio-economic regulation, it increasingly appeared that population could not be considered apart from its historical development and circumstances. Chadwick exemplifies this shift in liberal reformism: after writing the 1834 Report of the Poor Law Commissioners, he turned in his 1842 Report on the Sanitary Conditions of the Labouring Population to the ‘damp and filthy, and overcrowded dwellings’ of the urban poor and working classes, and conclude that ‘these adverse circumstances tend to produce an adult population short-lived, improvident, reckless, and intemperate, tend to produce an adult population short-lived, improvident, reckless, and intemperate, adverse circumstances 

Population

Report of the Poor Law Commissioners

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prisons, reformatories and asylums in Europe and America, he also made sure to visit London’s model tenements and of crime and disorder. So, for example, when the NSW Comptroller-General of Prisons, F W Neitenstein, toured 1887, lapsed (Mayne, 1982: 159). The closest the city came to municipal housing along British lines was the resumption Company was established in the Rocks in 1878, but a Sydney Workmen’s Improved Dwellings Company, promoted in by awards of ‘medals or diplomas of distinction’, not subsidies (SCCWCM, 1860: 12). A Model Lodging House heavy industry, and less of a need for workers to concentrate around a large firm, and hence less prospect for employers 1983: 192-194; Davison, 2000: 9-10). This was even more the case in the Australian colonies, where there was less 23). These developments housed none of the poor, and only a tiny proportion of the working population; many more principles, often on the basis of ‘philanthropy at five per cent [rental yield]’ (Daunton, 1983: 192-193; Ravetz, 2001: 22). The Housing of the Working Classes Acts of 1885 and 1890 (UK) consolidated the earlier legislation and allowed local authorities to build their own housing, and over the next 20 years about 20 000 dwellings were built by local authorities (Cowan and McDermont, 2006: 35).

Meanwhile, housing trusts and other private bodies built rental housing and model villages according to sanitary principles, often on the basis of ‘philanthropy at five per cent [rental yield]’ (Daunton, 1983: 192-193; Ravetz, 2001: 23). These developments housed none of the poor, and only a tiny proportion of the working population; many more workers were housed sanitarily on their own account, particularly through the building societies movement (Daunton, 1983: 192-194; Davison, 2000: 9-10). This was even more the case in the Australian colonies, where there was less heavy industry, and less of a need for workers to concentrate around a large firm, and hence less prospect for employers or housing promoters to develop rental housing on the scale of the British tenements and villages (Mullins, 1981). In 1860, the SCCWCM recommended that the construction of model dwellings by private capital should be encouraged, by awards of ‘medals or diploma of distinction’, not subsidies (SCCWCM, 1860: 12). A Model Lodging House Company was established in the Rocks in 1878, but a Sydney Workmen’s Improved Dwellings Company, promoted in 1887, lapsed (Mayne, 1982: 159). The closest the city came to municipal housing along British lines was the resumption and sanitary redevelopment of housing in the Rocks by the Sydney Harbour Commissioners after an outbreak of bubonic plague in 1900 (Volke, 2006).

Nonetheless, sanitary model housing was established as part of the liberal reformer’s solution to the problem of crime and disorder. So, for example, when the NSW Comptroller-General of Prisons, F W Neitenstein, toured prisons, reformatories and asylums in Europe and America, he also made sure to visit London’s model tenements and recommended their emulation in New South Wales, concluding that ‘they afford cleaner physical and moral ways of living than prevailed under the old conditions, and in this way they help lessen the growth of crime’ (Neitenstein, 1904: 106).

**Housing and Character**

The people’s homes are bad, partly because they are badly built and arranged; they are ten-fold worse because the tenants’ habits and lives are what they are. Transplant them tomorrow to healthy and commodious homes, and they would pollute and destroy them. There needs, and will need for some time, a reformatory work which will demand that loving zeal of individuals which cannot be had for money, and cannot be legislated for by Parliament. (Hill, 1970: 10)

Between the unsanitary circumstances of the city and the free will of the liberal subject, classical liberal governmentality posited a kind of mediating substance: ‘character’. Character consisted in habits of thrift, restraint and duty. Adverse circumstances might deplete character, if these habits were applied, character could be built up to achieve ‘mastery of one’s circumstances’ (Collini, 1980: 43).

Housing had always been linked to character, through labour and thrift; this was emphasised and made explicit in the development of the building societies and in the pricing of the model tenements. The managers of the model tenements also used lease terms to reinforce good habits. Neitenstein recorded that:

*The most important rules prohibit any taking in of lodgers on the part of the occupiers; provide for the washing and sweeping of the common landings and staircases by the tenants in turn; provide for the cleaning of windows and floors weekly; confine the emptying of slops or carriage of dust and other offensive matter between certain hours; regulate singing, the playing of instruments, and noise generally; and so on.*

(Neitenstein, 1904: 106)

In the late nineteenth century, liberal reformers made two further attempts at directly working on character through housing, this time amongst the poor. One was the establishment of ‘settlements’ of middle class reformers in poor neighbourhoods, ‘not to deliver charity, but to throw in their lot with the poor, to live among them and befriend them, replacing the parish priest, the squire’s household and the schoolmaster’ (Williams, 1988: 3). Starting in 1884 with the Reverend and Mrs Barnett’s Toynbee Hall in London’s East End, the settlement movement spread throughout Britain and the United States (Schubert, 2000: 119; Vale, 2000)), the University of Sydney established one in 1908.

The other was a specialised system of tenancy management for the poor, developed by Octavia Hill. Hill’s system proceeded from ‘the simple but not familiar idea that a landlord has a moral duty to his tenant’:

*The system consists in the employment of trained women as agents and rent-collectors, who manage the property as any decent owner ought to manage it, but with a good deal of individual supervision…. [I]t is absolutely indispensable for the houses of people who have lost the habit of living in comfort and cleanliness. (Bosanquet, 1991: 37-38)*

Hill insisted on the payment of rent strictly as it fell due: this was philanthropy at five per cent for her landlord supporters, but even more a lesson in thrift for her tenants. Unlike Mr Wymne’s agents, Hill knew her tenants, using rent collection to insinuate a surveillance of character into their households, by inquiring after the circumstances of household members and giving advice and warnings. A new application of the ‘lady visitors’ employed in the disciplinary houses of the poor, Hill explicitly articulated the disciplinary power of her techniques with classical liberal reformism.
It is a tremendous despotism, but it is exercised in a way of bringing about the powers of the people, and treating them as responsible for themselves within certain limits... you cannot get the individual action in any other way that I know of. (Hill, 1885, cited at Cowan and McDermont, 2006: 41)

After her death in 1912, Hill’s workers formed the Association of Women House Property Managers, and several Octavia Hill Societies were established in Europe and the United States (Morrell, 1996). As well as being taken up more widely in the emerging field of social work, Hill’s methods were accepted as the state of the art in reformist tenancy management.7

However, even it at the height of Hill’s activity, classical liberalism’s claims to rationalise government generally were coming undone. The classical liberal concern for the ‘moral’ state of the free-willed individual subject did not adequately address the social insecurity caused by the late nineteenth century’s enduring economic recessions, nor the further discovery by scientific inquiry of statistical predictors of abnormalities in populations and persons.

**CONCLUSION: FROM CLASSICAL TO SOCIAL LIBERAL GOVERNMENTALITY**

Over the nineteenth century, classical liberal problematics of poverty, sanitation and moralisation made instruments of the law of landlord and tenant, the disciplinary techniques of poor relief, the investigation and classification of the city, model dwellings, philanthropic/disciplinary housing management – but they were not built up institutionally as a social housing system. This would begin to happen in the early twentieth century, with the emergence of new formulations of the problems to which housing could be addressed. The turn of the twentieth century approximately marks the transition from social housing’s prehistory to early history and, more broadly, the transition from classical liberal to social liberal governmentality. Reporting in 1913 to the NSW Government on housing conditions and reform, R F Irvine looked back across this transitional moment:

> [Classical liberal] optimists argued that things would right themselves if only men would abstain from meddling with nature. Others conceded that the conditions under which the working-classes lived were deplorable; but doubted whether any remedy could be found. As a result, no effective measures were taken for more than half a century. The workers, who suffered most, were at that time quite unorganised and destitute of political influence. Probably, moreover, few of them appreciated the real significance of the situation in which they found themselves. They did not understand and could not avoid the evils that inevitably followed from their mode of life – the undermining of health and character – the widespread racial degeneration. Nor did they see that this very squalid and congested life contained in itself the seeds of progress as well as the seeds of decay. Their association in factories and congested living areas enabled them to realise a new community of interest which has been the parent of many fruitful movements. Concentration in cities has everywhere had these two results: it has meant for a time racial decay, but it has also meant new possibilities of association and progress. (Irvine, 1913: 4-5)

Social liberal governmentality would extend the classical liberal concern for ‘the undermining of health and character’ into a new problem, ‘racial degeneration’. It would also locate governmental solutions not in *laissez faire* or philanthropy, but in ‘a new community of interest’ that encompassed working people and justified greater intervention in the processes of life and economy. State agencies, administered scientifically by a new professional class of experts, would make these processes operate, through planning and redistribution, in accordance with social norms and against socially malign effects. Social scientific inquiry into ‘deviance’ from social norms would shift explanations of crime and disorder from demoralisation to more heavily determinist pathologies in the physical environment, in inadequately socialised families and neighbourhoods, and in the constitutions of individual persons.

In doing so social liberal governmentality would develop a new social liberal expertise in housing, consisting of a new version of sanitary housing reform, enlarged into ‘town planning’, and the rationalisation of domestic guidance into a new ‘science of the household’ (Royal Commission on the Basic Wage, 1920, cited at Brown, 2000: 115; Reiger, 1985). And it would reconceive the role of housing in government: to secure the household by providing a material basis for its integration with the norms of society.

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7 There were, apparently, no Australian Octavia Hill Societies, but she was well known in the colonies. The Sydney Morning Herald reported on Hill’s methods (Sydney Morning Herald, 1884: 7), and E E Morris, President of the Charity Organisation Society of Melbourne remarked to the first Australasian Conference on Charity, in relation to methods of charity, ‘...the best authorities are St Paul and Octavia Hill’ (Morris, 1890: 9).
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