

INTRODUCTION

**SETTLEMENT AND BELONGING
IN EUROPE, 1500–1930s**

Structures, Negotiations and Experiences

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The issues of who ‘belonged’ to a community, how belonging was claimed and maintained and how it was lost were key concerns of everyday life for Europeans in the period from the 1500s (when life-cycle migration began to intensify) to the 1900s (when national welfare states began to create definitive entitlements usually unrelated to migratory or residence status).¹ On the answer to the question ‘who belonged’ hinged matters of citizenship, identity, relative and absolute entitlement to welfare benefits and other communal resources, and the nature and locus of power in communities. While some commentators have treated ‘belonging’ and ‘settlement’ as co-terminus, in practice settlement – a legal or customary belonging for welfare purposes – played a much larger part in defining the identity, ‘place’ and ‘belonging’ of the poor and potentially poor than it did for other groups in local society.²

Yet, to many contemporaries – paupers, the labouring poor, officials, lawyers and politicians – the answers to the dual questions ‘who belonged’ and ‘who had settlement’ were opaque. Normative definitions of ‘settlement’ or ‘citizenship’ enshrined in black letter law across Europe usually proved imperfect for our period, especially in light of increasing inter-state mobility from the nineteenth century. In practice, a combination of local law and bye-law, custom, the judgement of manorial and lordship courts, lineage, and the impact of short-term crises such as war and harvest failure coalesced in often unpredictable ways such that the status of

'belonging' or 'being settled' (and the entitlements that might flow from such status) were given or withheld and claimed and experienced along a complex spectrum within and between European states. In some places, such as England and Wales, national legislation provided a framework within which broad understandings could, theoretically, be formulated.³ For other states, France for instance, there was an intense resistance to national directive with the result that 'belonging' was tied up with intricate negotiations and multi-level indicators of status at the level of village, hamlet or commune.⁴ We return to these issues later in the chapter, but in both sorts of system there were perennial squabbles between places and between officials and migrants about who could claim a 'place', 'settlement' or a 'belonging' and about consequential matters such as the level, duration and scale of entitlements to communal resources. Such disputes were partly a function of the particularities of individual cases. They also reflected what happened when customary understandings of belonging and rights to relief, the finances of individual communities and their rate-payers, the requirements of local employers, the interests of landowners and, crucially, competing notions and levels of citizenship, intersected. A legal or customary 'belonging' to a place was not co-terminus with citizenship. The perennially poor, particularly women, could after all 'belong' but not meet any of the key yardsticks of citizenship such as payment of taxes, philanthropy or contribution to civic society. Such issues became particularly problematic when in the nineteenth and twentieth centuries sustained cross-border migration pitched states as well as communities against each other. Nonetheless, 'belonging' was central to an understanding of the rights and obligations of all ranks in a community. The complex but concretely elaborated tripartite citizenship structure of Switzerland was not common across the Europe of our period.⁵ Yet, limits of citizenship were consistently elaborated by law and local practice as communities and individuals across the continent wrestled with the key issues of who had 'a place', how 'settlement' in these terms might translate to different levels and baskets of rights, and who had a liability to pay for the entitlements of others.⁶

The 'problem' of defining belonging was clearly a constant across the period covered by this volume, a reflection of large-scale personal mobility. Indeed, the English and Welsh Old Poor Law and its associated settlement laws, the archetype of a national social welfare system, was probably codified in the seventeenth century precisely because widespread migration for economic betterment meant that 'who belonged' (and therefore who had rights to relief at times of economic stress) became an unanswerable question. Those 'out of their place', largely in urban areas which were in turn forced to provide relief for rural migrants, threatened the

very financial and social stability of the early modern English state and others.⁷ Yet there is also perhaps a sense in which the problem of defining ‘who belonged’ intensified significantly over time. While the scale and pace of European agricultural and industrial development varied considerably between and within states, the overlapping imperatives of growing proletarianization, urbanization, more intensive short and long-term migration, and degradation of the ordinary family economy increased the risk and duration of poverty and thus the scale of potential calls on welfare resources. Set against European welfare regimes which remained organized on an essentially local basis until the collectivization movements of the late nineteenth and twentieth centuries,⁸ these broad macro-trends created intensive pan-European debate about issues such as: Who belonged? How could belonging be evidenced? What should those who belonged be entitled to? How should the interests of the poor be balanced with those of ratepayers and philanthropists? And what should one do about ‘outsiders’? Perhaps inevitably such debates were fiercest in the context of burgeoning urban areas, but even the most rural of Swiss Cantons persistently grappled with such matters, particularly in the context of what to do with returning mercenaries.⁹ Growing international labour flows and the proliferation of bilateral treaties on welfare rights in the nineteenth and twentieth centuries significantly escalated these debates and took them to a whole new conceptual plane.¹⁰

The contributors to our volume deal with different combinations of these intricate questions. The majority of the chapters focus on England and Wales, a corollary of the scale of research on the Old and New Poor Laws,¹¹ and of the richness and systematic nature of the records that these bodies of welfare legislation generated. Yet the volume also brings together detailed analyses of migration, settlement, entitlement and belonging in Austria, Belgium, France, Prussia, Switzerland and The Netherlands to realize one of our driving concepts: the idea that a systematic incorporation of continental legislation and practice in the settlement law debate would enhance both our understanding of the particularities and generalities of the English/Welsh case, and of the social, economic, cultural and political implications of different definitions of belonging in general. Most of the chapters take a bottom-up perspective, incorporating detailed research on the ways in which belonging/settlement and consequential entitlements for poorer migrants were negotiated *in practice*, rather than according to the normative rules of black letter law. Paul-André Rosental works on a larger canvas, specifically engaging with the question of how the widening of the spatial level of identity from the local to the national or international in the long nineteenth century created new debates about the nature of belonging, new structures of exclu-

sion and new debates about the nature of the social rights conferred by having a ‘place’.¹² Collectively, the chapters suggest a highly variegated set of responses to a common problem but also some distinct regularities of approach and intent. By way of context for the chapters, the rest of this Introduction provides a broad overview of the spectrum of European settlement systems, a synthesis of some common principles, and a detailed discussion of the ways in which ‘belonging’ was negotiated and experienced at the level of the community and individual. In so doing we suggest the central importance of the concepts of belonging, settlement, citizenship and entitlement to the operation of European societies across the period from the 1500s to the 1930s.

Settlement in Perspective

Just as contemporaries struggled perennially with the question of who belonged, so modern historians have wrestled with the task of understanding the meaning, intent and impact of one of the key elements in defining belonging for the poor: ‘laws’ of settlement. In terms of volume, England and Wales have been the subject of most extensive research and discussion. The codification of the Old Poor Law between the 1590s and 1601 provided the legal and definitional basis for a national system of welfare. Distinguishing between the impotent poor (to whom officials at the level of the Church of England parish were supposed to offer relief), the able-bodied poor (whom parishes were supposed to put to work) and casual paupers such as vagrants (who were to be punished), the Old Poor Law legislation established a local system of funding for poor relief based upon a property tax. Without a system for establishing the relative liabilities of individual places/sets of ratepayers, however, the system was bound to be eroded by large-scale migration to towns and areas of economic development, yielding unsustainable long-term bills for receiving parishes. The initial legislation did not incorporate the sort of rural-urban compensation mechanisms that Marco H. D. van Leeuwen identifies for the Netherlands and Anne Winter for Belgium elsewhere in this volume. Rather, in various local and national legislation between 1601 and 1665 a comprehensive system of ‘settlement laws’ established how the ‘place’ of each individual was to be identified. Only in that place would the individual have a right to apply for poor relief – unless in extreme need, when they might be relieved anywhere as ‘casual poor’. Settlement was conferred by birthplace of one’s father (or place of birth for illegitimate children), marriage, serving a full apprenticeship, paying significant local taxes, renting a house of a certain value, or simply by living in a place

for long enough under the eyes of local officials. David Feldman revisits some of these criteria in his chapter below. Those not having a settlement defined in these terms could, under the seventeenth-century legislation, be removed at the will of parish officers (usually in practice if it was feared that they might become dependent upon poor relief), a legislative nod to urban and industrial areas who needed the possibility of a mechanism to remove large numbers back to their parishes of settlement in the event of trade depression.¹³

Between the 1660s and 1790s, the qualifying conditions for a settlement changed subtly – particularly with the restriction of some of the ‘softer’ options for gaining a new settlement such as residence without disturbance in a place – as did the intent of the system. Nonetheless, from 1795 parishes were allowed to remove someone only once they had actually fallen into dependence. Exceptions were unmarried women with children, people of ill fame and convicts, who were all deemed ‘chargeable’ and might be removed. In his chapter for this volume Steven King argues that many officials and lawyers simply did not understand the laws of settlement as they developed incrementally over time, but cumulatively there is no doubt that this legislation established the most elaborate normative framework of belonging for the migrant poor in Europe. Only the most recidivist of vagrants, the Irish and Scots or truly itinerant groups such as actors lacked a ‘place’ under this system. The New Poor Law did not herald immediate change in the settlement laws but by 1846 began to undermine them, initially by treating paupers resident in a place for more than five years as legally settled. The length of residence needed to gain irremovable status fell consistently in the later nineteenth century. This does not mean, as Elizabeth Hurren shows in her chapter, that local officials and elites always followed the law, but in terms of broad intent the cumulative impact of the law in nineteenth-century England was to make settlement by residence easier to obtain – a development that contrasted for instance with the Belgian example explored in the chapter by Anne Winter in this volume. We return to these issues below.

While the earliest historians of the English and Welsh settlement laws saw them as a barrier to labour mobility and a source of hardship and uncertainty for the labouring poor,¹⁴ recent historiography has been more nuanced and provocative. There have been lively debates, for instance, over the basic intent and sentiment of settlement law as practiced at local level – whether it facilitated a comprehensive surveillance mechanism in which those at risk of falling into poverty were regularly and systematically examined as to settlement, and removed where it could not be established; or whether it was a much more pragmatic mechanism related to labour market architecture, character and the attainment of actual poverty.¹⁵ A

combination of the Old Poor Law and its settlement laws has been seen as facilitating economic development by providing a community-based safety net for those who failed,¹⁶ and detailed analysis of settlement examinations, migratory systems and family reconstitutions has suggested definitively that the settlement laws were no bar to extensive labour mobility.¹⁷ Indeed, and for women with children in particular, they may have actually have been a protective force.¹⁸ And if a combination of settlement and welfare laws did not establish a definitive legal framework for transfer payments between places so as to allow paupers out of their place to remain in a host community (as in nineteenth-century Belgium) there is now compelling evidence that parishes and communities systematically established such a mechanism themselves once the background conditions (the development of a national market in cheques, better postal systems, and increased supply of small change) allowed such a system to operate reliably.¹⁹ In short, the negative perceptions of settlement law, so ingrained into the analyses of early commentators, have been significantly reversed.

Yet, if this array of research is impressive, it also leaves many avenues inadequately explored. British welfare historians have highlighted great variety in both local relief and settlement practices in the English provinces.²⁰ The difference between the comprehensive system of settlement examinations discovered for St Martin's in London by Jeremy Boulton in his chapter for this volume and the episodic or non-existent settlement examination and removal activity in some of the parishes highlighted by Steven King is both profound and largely unexplained. Do such differences in activity and intent relate to the nature of local labour markets as Marco H. D. van Leeuwen for Amsterdam and Thijs Lambrecht for Flanders argue in their contributions to this volume? Alternatively, might such differences reflect the fact that a professionalized administration allowed places like St Martin's to operate a system of settlement and removal akin to what was *intended* by the legislation whereas the absence of such an administration elsewhere made enforcement irregular, costly and uncertain? Or perhaps the derogation of settlement and removal decisions from the poor law authorities to large employers and landowners in some places but not others explains such differences? Alternatively, we might be picking up profound urban-rural or industrial-rural divisions. Other questions also remain unanswered, both for England and Wales and the wider European continent. Thus, while there has been a considerable body of work on settlement law, understanding of how such law was used in relation to or in conjunction with other elements in the legal armoury of officials is thin. Faced with a new claim for poor relief, officials might turn directly to a settlement examination, but they could also grant ca-

sual relief (under, for instance, legislation for speeding up the transit of soldiers), or implement the various vagrancy and anti-begging laws that stood in distinction to settlement legislation. Or they could turn to extra-legal measures such as writing to the settlement parish of the pauper concerned asking it to pay relief while the pauper was resident elsewhere. More sinisterly they could, as Elizabeth Hurren shows, use a series of underhanded and legally suspect or even illegal measures to undermine the settlement of a pauper and to deny him or her welfare.

How and why officials turned to different aspects of the law or customary practice, and why considerable numbers just seem to have paid relief whether the pauper had a settlement or not, requires more substantial research. Nor have the historians of British welfare done much to step outside the realms of the poor law in analysing how belonging was understood and how the communal benefits associated with such belonging sat within the wider resource context. Endowed charities, voluntary hospitals, dispensaries, almshouses and casual charity operated on a quite different basis to the Old Poor Law and with very different, not to say sometimes diametrically opposed, standards of deservingness. To take a hypothetical example, it is unclear how the average overseer of the poor would have resolved the entitlement of a woman long resident in a community and recognized as ‘belonging’ through receipt of charitable resources or housing but whose legal settlement was elsewhere because it was derived through marriage. Early poor law historians garnered plenty of examples of removal in such cases, but more expansive later work has suggested that such women were unlikely to have been removed.²¹ In urban and industrial areas particularly, the proliferation of voluntary hospital, subscription and *ad hoc* charities, street charity and self-help institutions such as friendly societies meant that those without settlement were not immediately or inevitably thrown onto poor relief. Elizabeth Hurren in her chapter for our volume suggests that it was only at times of fundamental ideological change in welfare terms that issues of settlement came to loom large in the lives of the poor. Steven King likewise points to the comparative absence of settlement activity in most parishes, while even in Jeremy Boulton’s St Martins parish there was a surprising disjuncture between being examined under the settlement laws and actually being subject to them.

How far these observations of England and Wales can be applied to other states is still a moot point. Implicit and sometimes explicit in most early accounts of England and Wales is a sense of exceptionality.²² There are reasons to suspect, however, that while English law and practice may have had some distinctive features, the notion of total English exceptionality is illusory. Rather, it is a product of factors – disjointed continental

sources, the masking effect of the way that continental poor relief was organized, the complicating factor of strong intra-continental labour flows, and the way that historians have approached the issue of belonging – that make it difficult to generalize continental experience. Thus, and with the exception of Switzerland for example, long-term, stable codified national systems governing settlement and belonging were a product of the nineteenth century. Against this backdrop, simply establishing the variety of local and regional rules on these issues prior to this period is a major research undertaking in its own right, something that both Anne Winter and Thijs Lambrecht argue forcibly in their chapters. Indeed, one of the contributions of this volume is to bring into sharp relief for the first time the fluid systems of laws, customs and local practices that governed settlement in Prussia, The Netherlands, Belgium, Switzerland and France. Nor does the continental welfare system make it easy to understand settlement and belonging as a discrete topic. While it is now clear that English poor relief arrangements in totum ranged across the same spectrum as in continental Europe, there was a difference in emphasis that carried important consequences for notions of belonging and associated entitlements. In France the intertwining of national and municipal responses to crises such as harvest failures or epidemics, religious charity (partly dispensed via sisterhoods), endowed charities and large-scale day-to-day charitable initiatives on the part of employers, guilds, local elites and aristocrats meant that belonging in a formal sense was not always or mainly connected to community-based welfare entitlements. In this system, membership of a confraternity, employment in a certain trade, catching a particular disease or residence on a certain estate determined eligibility and in many of these areas long residence, rather than formal settlement, may have been by far the most important issue. Thus, although localism was rife in France it was constructed at the level of an intense mistrust of the centre by the localities rather than through a simple dichotomy between migrants and natives.²³ The bilateral agreements between France and other European states on the welfare rights of migrant labour outlined by Paul-André Rosental in the Afterword to this volume were simply superimposed on an already highly complex sense of ‘who belonged’ to French communities.

Similar observations might be made of other states and against this backdrop the fact that the functioning of relief arrangements, and *a fortiori* of settlement arrangements, in continental regions is underdeveloped vis-à-vis the richness of English research is entirely explicable. Nor should we forget that in many continental traditions, poverty, the poor, poor relief and (by definition) settlement are often packaged up into attempts to understand wider problems, trends and experiences. In Germany, for instance the most exciting recent research on settlement and

belonging inscribes these issues into the much wider conceptual and empirical framework of insider/outsider or inclusion/exclusion in which the beggar figures significantly more strongly than in any English historiography.²⁴ And more generally questions of settlement, belonging and citizenship have, in many historiographical traditions, come to form strands of much wider discussions of philanthropy, urbanization, pan-European migratory flows, labour markets and gender.

Arguably, then, the continental literature provides us with a much more layered picture of the nature of local belonging than that afforded by its English counterpart. In the face of these observations, our contributions on the continental states offer important empirical and theoretical advances as well as the opportunity to properly contextualize and extend the English historiography. Collectively, they suggest that England and Wales were far from unique in the legal structures shaping belonging and settlement, the intent of the settlement and removal systems that were employed, the mechanisms by which legal guidance was transfigured at local levels, and the sorts of outcomes experienced by poor migrants. Moreover, these contributions highlight issues and structures which have thus far garnered little attention in the English literature: the central importance of different concepts of citizenship as a mediating factor between belonging and poor relief systems, most clearly in Prussia and Switzerland; the circumstances under which settlement could be lost rather than simply changed; the capacity for formal and informal agreements between communities, parishes, *Länder*, cantons and even states to shape how paupers of different nationalities, origins, ethnicity or gender experienced settlement systems; the importance of certain cities as ‘demographic sinks’ which took pressure off settlement systems across whole states; and the central importance of relationships of trust and obligation between parishes when dealing with the poor out of their place. Considered as a whole, then, our contributors suggest that similarity rather than difference is what must drive the future intellectual agenda for research on settlement, belonging and ‘place’. It is to some of these issues that the rest of this Introduction turns.

Getting, Maintaining and Losing a Place

As our contributors show, the basic mechanics of European settlement systems were anything but simple, something reflected in emerging evidence that paupers themselves invested a lot of resources into the process of understanding law and practice in this sphere.²⁵ Europe during our period supported three (discrete or overlapping, depending on period,

country or region) settlement systems, each linked to the wider status of 'citizen' in complex ways: work-based, residence-based, or birth-based. Work-based systems ranged from settlement conferred by serving a full apprenticeship,²⁶ membership of a guild, or a formal or informal work contract of a certain length to the granting of a license to work in a community (the *Heimatrecht*) that we find in Austrian and German communities. In twentieth-century France, the dual processes of defining who belonged and determining welfare benefits might on occasion pass to employers. Who one worked for could thus also confer *de facto*, if not legal, settlement since essential workers might be protected from normative rules by influential employers, creating an irremovable but nonetheless non-settled group in some localities.²⁷

Residence-based systems, in which migrants acquired settlement after a period of undisturbed residence in a place (sometimes but not always associated with the payment of local taxes or the serving of local offices), tended to be the most complex and hotly contested on the European stage. While Amsterdam acted as a more-or-less willing demographic safety valve for the rest of The Netherlands in the early modern period (see Marco H. D. van Leeuwen's chapter in this volume), for many urban communities residence-based rights of settlement were compromised by the fact that local officials in densely populated areas might be unaware of those arriving. Migrants might thus garner a settlement simply because of their urban invisibility. It is for this reason that the London parish of St Martin's in the Field, the focus of our chapter by Jeremy Boulton, devoted so much administrative effort and expense to the *precautionary examination* of all migrants among the labouring poor. Most parishes and towns could not afford such administrative effort, and during the seventeenth and eighteenth centuries national, regional and local rules governing settlement by residence were constantly amended at the margins to try and restrict migrant rights. In turn, and notwithstanding the Swiss example analysed here by Anne-Lise Head-König, the nineteenth century was to see an increasing importance for residence-based settlement systems as central state administrations asserted more control over local and regional practice. Nowhere was this clearer than in the 1834 English and Welsh New Poor Law under which the centralized authorities gradually sought to both make residence-based settlement the key means of obtaining a place and reduce the amount of time a migrant needed to have been in a host community before claims could be made. Such changes were not well received in most localities, as Elizabeth Hurren demonstrates. Nonetheless, by the turn of the nineteenth century residence-based systems were increasingly dominant in Western Europe as part of a wider collectivization process.²⁸

Intuitively the most logical system for assigning settlement, birth-based criteria also posed considerable problems for contemporaries. Birth-based systems would not allow for an understanding of local contribution in weighing up settlement entitlements, and would explicitly negate the potential for formal and informal contracts such as labour and wage agreements to shape belonging. Nor, as both Anne Winter and Thijs Lambrecht show in their contributions to this volume, can birth-based systems cope easily with the implicit resource transfers between rural and urban areas that rural-urban migration would necessarily entail. And birth-based systems also posed serious problems for communities on transit routes or in illegitimacy hotspots, where the chance childbirth of travellers and unmarried women might saddle a community with lifelong bills. In the event that a family was removed from a place, frequent migration might mean that some children would have been born in one place, others in another place, and both parents somewhere entirely different, leading to the break up of the family concerned and potentially to much higher bills for all of the communities involved. Nor was it clear to contemporaries how to deal with orphans. In France, for instance, the Civil Code set out strict guidance on which family members were to adopt such children, but it did not resolve the essential ‘belonging’ of orphans vis-à-vis their host families.²⁹ Much national and local law thus developed around the vexed question of whether it was the individual or the family that held a settlement and could exploit associated welfare rights. Moreover, and even more than with other settlement criteria, birth-based belonging exposes the tension between having a settlement, having rights to apply for the suite of social welfare opportunities often associated with settlement, and belonging in the sense of being regarded as a ‘citizen’. While many historians have casually and inevitably interconnected the three issues, in fact they were entirely separate.

Unsurprisingly, therefore, questions of settlement and belonging in most European states tended to be mediated through hybrid systems in which there were multiple criteria for settlement and (potentially) multiple levels of welfare rights associated with different types of belonging. The contributors to our volume do much to explore the spatial particularities of these complex systems, while the afterword addresses the vexed issue of what to do with the different generations of international migrants. Yet we can also discern some regularity of experience and intent. Thus, the essential fluidity and adaptability of settlement criteria – malleable by national statute, local law, bilateral international agreements and accumulated practice – is a striking feature of the continental states. Even in England and Wales, as Steven King demonstrates in his chapter, a supposedly national system of criteria might be adapted, ignored

or enforced according to the local and regional conditions faced by officials and paupers. Another commonplace is the way that the criteria for gaining a settlement must be read as one of a 'family' of regulations which collectively sought to control migration, access to citizenship and the challenge posed for local social structures by socio-economic change. This 'family' of regulations included vagrancy legislation, restrictions on freedom of labour contract and legal or customary controls on marriage. Finally, all European settlement systems struggled with the issue of exceptional groups. Some were occupationally based, for instance tramping artisans. Serving (but often sick and thus in need of assistance) or demobilized military personnel formed one of the greatest challenges.³⁰ And of course for many sailors it was often quite impossible to establish a legal settlement. For these groups, special regulations were established or officials adopted pragmatic solutions such as paying small transit allowances.³¹ Those with a different nationality or ethnic identity were also problematic for most European settlement systems. As Andreas Gestrich shows in his chapter for this volume, the different Prussian states saw migrants from the others as essentially foreigners.³² The same is true for Scottish and Irish migrants in England in particular, while black or other ethnic groups posed an insuperable problem in some areas and states.³³ Countries with significant emigration (Switzerland for instance) or immigration (for instance France) sometimes came to bilateral agreements with other states on how migrants were to be treated and who was to pay for them. In this framework it was perfectly possible for an immigrant from one country to be able to claim social rights that were denied a migrant from another where no such agreement existed.³⁴ And of course some 'exceptional' or problematic groups were created by the operation of settlement criteria themselves. This applies particularly to married women who often lost a settlement of birth to be given a settlement derived from that of their husbands. Where they came from the same place the transition was unproblematic. An increasing number of local studies, however, have pointed convincingly to an established tendency for men to migrate into the communities where they eventually married. In the event of his subsequent death, his widow, who would have lost her own settlement and gained that of her husband, might be removed to a place completely unknown to her.³⁵ Indeed, most European settlement systems struggled with the issue of derived settlement until residence-based criteria gained widespread traction in the later nineteenth century.

In turn, a consideration of derived settlement brings into sharp focus another feature of the collective contributions to this volume and the wider literature in which they are inscribed. That is, there has been a tendency to focus explicitly on the issue of how settlement was gained, and

much less on how it was maintained or lost. Anne-Lise Head-König shows that Swiss people with citizenship and associated settlement and welfare rights had to consciously maintain this status if they lived outside their original canton or even country. Citizenship in one place (and associated rights) could be lost at the same time as citizenship in another place was not gained, leaving the individual effectively rootless. No other European settlement system had such explicit rules. Nonetheless, it is clear from our chapters that policing settlement could be devolved to a variety of officials (welfare officers, policemen, town officers) or bodies (guilds for instance) and that criminality, moral misconduct, fraud and breaking guild or town regulations could all lead to an individual losing his or her settlement. The issue of how to maintain a settlement was thus not always easy for the contemporary poor to understand or predict. In supposedly national systems such as that in England and Wales there was less scope for simply ‘losing’ a settlement as opposed to being ascribed a different place of belonging. Even in this context, however, it was possible for individual paupers to be placed in legal limbo, effectively losing their settlement, as communities argued for years over their respective settlement liabilities. For officials the question of how settlements and consequent welfare entitlements were maintained was an important ongoing issue – rootless groups in or around a locality presaged criminality, labour market disruption and a challenge to the social order. For paupers, maintaining a settlement presupposes an ongoing and evolving understanding of the law (something explored by Steven King in his chapter), a grasp of one’s ‘life story’ and the construction and accumulation of external reference points (the names of masters or employers, evidence of wage contracts or physical permits) to embellish that story. The energy that even the most humble of paupers invested into this process, evidenced for instance in English pauper letters or German welfare petitions, is itself testimony to the importance of shifting the long-term research agenda away from the issue of gaining settlement to that of maintaining it.³⁶ Meanwhile, some sense of why European settlement systems were so complex can be gained by looking at both the guiding principles and pragmatic decision-making that they embodied, issues that are the subject of the next two sections.

Shaping Settlement Rules: Guiding Principles

Whether the legislative and operational basis of a settlement system was national (as in England and Wales), cantonal and regional (as in Switzerland) or local (as in Austria), all had to balance six common guiding principles/concerns. Thus, and firstly, at the core of the settlement concept

was the implicit trade-off between the economic contribution of migrants and an unwelcome (current or future) drain on local relief resources. It is for this reason that nationally enshrined welfare systems such as that in England and Wales had measures for both labour market intervention *and* relief management inscribed into their very fabric. Indeed, there is evidence that welfare officials sometimes pursued quite sophisticated labour market policies, as for instance when they tried to find work for old and young dependents of adults in local employment but sought to remove unemployed adults or families where the main wage earner looked likely to be unemployed in the medium term. In turn, we have become increasingly aware that this trade-off did not simply pit the interests of employers against those of other ratepayers. Each group was, as Thijs Lambrecht demonstrates in this volume, more variegated than early research allowed.³⁷ Nonetheless, at least in theory, the implicit trade-off provided an incentive for communities across Europe to pursue selective policies, allowing the immigration of relatively 'productive' migrants but avoiding the settlement of relatively relief-dependent groups. Settlement systems were also of course multi-functional entities and they might be shaped so as to discourage or minimize forms of migration that challenged particular political and economic interests or cultural preferences. This might, as pointed out in the Afterword, apply particularly to international migrants as states decided with whom they would contract bilateral agreements.

If settlement and associated relief systems were partially concerned with control, they also enshrined or generated implicit obligations. Thus, a second guiding principle across much of Europe was that the practice of settlement should not run counter to conceptions of moral economy. Particularly when it came to the treatment of the life-cycle poor such as the aged and disabled, officials had to balance broad conceptions of prior contribution and current deservingness with the law and prior practice of settlement. The acute problems generated by the need to achieve this balance can be seen in the often terse correspondence between officials on the subject of groups such as the aged that is now coming to light in considerable volume across Europe.³⁸ Sick paupers, and particularly those brought to pauperism because of sickness, represented an even thornier problem for officials. For this group, questions of legal possibility, accumulated past practice, local law, Christian duty and humanity intertwined in many countries to create an implicit obligation not to remove the afflicted, at once excepting a large group of poor migrants from the immediate scope of the settlement system. Moral economy thus trumped both law and the self-interest of welfare funders. As Jane Humphries points out in her chapter for our volume, the treatment of children was also intimately entwined with considerations of moral economy. The very fact

that children were often seen as faultless in questions of poverty might explain the marked absence of reference to settlement experiences in the autobiographies of those who had some contact with the English and Welsh poor law during their childhood years.

A third and related principle was that settlement systems should prevent uncontrolled migration and social disorder, particularly at times of socio-economic and political crisis. This partly explains why in countries such as England and Wales settlement and removal policies subtly interlaced with vagrancy policies right from the inception of the national legislative framework. Yet, officials also had to be concerned that their operation of the settlement system did not itself generate unrest. Tempting as it must have been for urban officials in particular to initiate mass removals at times of crisis there would have been a keen appreciation of the discontent amongst employers and neighbourhoods that might be generated by such policies, even where migrants were from other European states. It is no doubt for this reason that pauper letter writers and petitioners across Europe emphasized the support that they had for continued sojourning in their host communities.³⁹

A fourth overarching principle was that settlement systems must be malleable according to the underlying structure of communal resources on which they were superimposed, the social and economic status of migrants to which they applied, and the accrued local contribution of these migrants.⁴⁰ Schematically, our different contributors suggest that regulation could operate at three main levels: the right to enter a locality and reside there; access to work; and access to certain ‘community rights’ or ‘community resources’, which in turn fell into different categories, such as access to commons, political participation, and various public and private relief provisions, and especially the right to beg legitimately. Different criteria could operate in determining rights on these three levels: place of birth, length of residence, marriage, wealth, and work, creating different bundles of rights. On the whole, the more these different rights were bound up together – as when the right of residence also implied access to community rights – the greater the policing effort required (at entry) and the less flexible the response to migration. It amounted to a policy of all or nothing when deciding whether to accept newcomers and their costs and benefits. Migrants either gained a relatively high degree of protection (when accepted) or a high degree of insecurity (when expelled). Conversely, and as David Feldman shows in his chapter, the more these different rights were unbundled, the more flexibly local authorities could try to separate the costs and gains from migration, and to shift the risks of migration onto either migrants themselves, other parties (employers, landlords or the community of origin) or a wider kinship group.⁴¹

Focussing more narrowly on the access to communal resources implied by belonging to a place, a fifth general principle was that settlement systems should legally enshrine as few absolute rights as possible. Of course, the question of what constituted a right is problematic, and something to which we return below in dealing with spaces of negotiation. For Anne-Lise Head-König the right to relief existed where there was also a right of appeal. Yet there was a difference in essential sentiment between settlement giving a *de facto* and acknowledged right to relief when certain criteria were met (and an associated right to appeal) and settlement giving an entitlement to apply (which might also be subject to appeal) but without any acknowledged rights of receipt. The difference is a subtle but important one, counterposing as it does the settlement systems of Switzerland (which effectively obliged communities to provide relief when certain conditions were met) on the one hand and England and Wales on the other. For most European states, however, the broad intent of the settlement system was to constrict rights, either at the point of deciding settlement or in the decision of what rights to give to different sorts of paupers. In most places, for instance, there was a difference between the entitlements afforded (and the sense of belonging created by) giving medical relief as opposed to other forms of relief. Rights were, in other words, multi-layered and the relief associated with rights could be bundled in numerous different ways at the individual and community level. In England, and notwithstanding the recent contentions of Lori Charlesworth,⁴² gaining a settlement generated no absolute right to relief, merely an ability to apply for it. There is considerable evidence that a substantial proportion of those who applied for relief in the eighteenth and nineteenth centuries were turned away. Even where a pauper was in receipt of relief, there was no inevitable bundling of other welfare provision (such as housing) or of resources outside the welfare system (such as charitable doles). Rights, and the consequences of those rights, were thus minimized in the English and Welsh system. For Belgium, Prussia or The Netherlands rights were seemingly no easier to obtain but officials had more power to bundle and unbundle resource types and sources, including for instance work and begging opportunities (the two often intertwining) according to the nature of belonging. Whatever the consequential relief, however, it is clear that constraining rights and maintaining discretion was a core aim of European settlement systems. It is for this reason that the extension of residence-based settlement criteria and the signing of bilateral entitlement agreements from the later nineteenth century often occasioned fierce debate.⁴³

In turn, and finally, settlement systems had to balance the needs and imperatives of centre and locality, a consistent sub-text in most of our

contributions. This balance was not always or readily achieved. Central authorities were often more concerned about avoiding disorder, particularly at times of crisis (and therefore strove to curb the incidence of removal),⁴⁴ while local authorities were more concerned with relief management. The incidence of removals might therefore be determined mainly by the power relations between the local and the central. David Feldman notes, for instance, that in England and Wales the right to remove was extended in 1662 under pressure from local authorities. Anne-Lise Head-König suggests that restrictive migration policies at the level of Swiss municipalities ran counter to cantonal endeavours to ensure every Swiss had a settlement. Conversely, the decision of Prussian authorities to maintain French settlement rules against the obvious interests of local authorities, especially cities, reflects the strong directive power of the Prussian state. Yet, and perhaps with the singular exception of France, it is clear that in the long-term, centre-local tensions did not prevent the evolution of settlement systems which allowed for migration, immigration and emigration on a grand scale.⁴⁵

How different European settlement systems balanced, embedded and operationalized these general principles is determined by a suite of influences. Foremost amongst them was the nature and scale of in-migration, a common theme across all of our chapters. Nonetheless, there were also other important drivers. These included: the nature of the legislative process, and particularly the scope for local input into national statutes; the effectiveness of information circulation at the national and regional level; the availability of small change on a scale sufficient to allow the transfer of monetary resources between communities as an alternative to formal removal of individuals and families; the nature of intra- and inter-regional relations between the different bodies responsible for welfare; the role of magistrates and other local and regional legal officials; and the presence or absence of a migration safety valve functioning like Amsterdam for The Netherlands and Geneva for Switzerland. The nature of marriage and non-marriage patterns and wider experiences of household size and structure also had profound implications for the operation of rules of settlement within and between European states and over time.⁴⁶ Thus, a transition to nuclear family norms in Navarre between the early modern and modern periods changed the way that belonging was conceived.⁴⁷ In the Polish territories of the eighteenth century there were radical differences between the nuclear family norms of a broadly conceived ‘west’ and the more complex families of the ‘middle’ and particularly ‘eastern’ Belarusian territories. Such differences imprinted on the nature and scale of migration and consequently on the underlying questions of who belonged and who had access to communal resources.⁴⁸ These differences in

household structure (and their consequences) might even be played out at the level of contiguous parishes.⁴⁹ An ability to finance administrative systems was also a key issue for the practical operation of the settlement system as it evolved at local and regional levels. The question of who officiated over settlement questions might equally shape the character of the system in complex ways. In the Rhine Province, for instance, the task was transferred from the parish to the police, changing the meaning and symbolism of settlement legislation and practice. Landowners might also take on some of the powers of the parish, with equally important symbolic and practical effects. In most of England and Wales, the amateur overseer of the poor was, until 1834, the mainstay of the settlement system. Even thereafter local officials were responsible for the day-to-day operation of the relief and settlement systems. At this level of enforcement, the prescriptions of national and regional laws gave way to a system of practice in which the keyword was negotiation, and it is to this issue that we now turn.

Negotiating Settlement Practice

Whilst migrants' access to bundles of welfare rights and citizenship status was often prescribed broadly by normative provisions, in practice they were shaped by negotiations at different levels: *within* local communities (e.g., between employers and relief payers), between different communities (that of residence and of origin), between local and central authorities (determining local autonomy to diverge from general rules, and feeding back into central legislation), between migrants and the officials who stood between them and local ratepayers or philanthropic donors, and even between European states. At best, therefore, normative prescriptions provided an arena for the ongoing negotiation process. In this arena, the balance of power constantly shifted and the outcomes were often unpredictable.

In the period covered by this volume, negotiating space existed at three core levels across Europe. The first was created by ambiguities, omissions, path-dependency and contradictions in the system itself. These might include: misunderstandings of or confusion over the meaning of the law (something picked up on constantly by our contributors); inconsistencies between local and national law; the lack of a professional bureaucracy which might make selective implementation of the law inevitable; institutional blocks to change, such as heavy prior investment in workhouse-like institutions; the existence of multiple legal entities for dispensation of

welfare because new laws failed to repeal the structures put in place by old ones; changes to the socio-economic or financial system that curtailed or increased the capacity of the settlement system to act in some areas; the existence of multiple equivalent ways of dealing with settlement issues (via vagrancy instead of settlement laws for instance); the failure of the law to be sensitive to the nature of the migratory stream faced by communities (as Thijs Lambrecht shows, it mattered very much whether migrants were perceived by host communities to be temporary or permanent); the failure of policymakers to key settlement laws into other aspects of social legislation, particularly that which restricted marriage amongst the poor in several European states;⁵⁰ and ambiguities over how communities should respond to the changing composition of the wider economy of makeshifts, particularly the schizophrenic attitudes towards begging often highlighted in our chapters, upon which migrants might draw in addition to or as a substitute for public welfare.

Negotiating space was also created in a second way, by the agency of the paupers, their epistolary advocates or officials who stepped, positively or negatively, beyond the letter and spirit of the law. These individuals drew on an alternative framework of power relations, in which the law had to be understood and interpreted within the boundaries of moral economy, worth, trust, paternalism, custom, duty (to ratepayers, God, the office, or the community), economy, pragmatism and reputation. Not until the late nineteenth century did this alternative reality come under real pressure for much of Europe. At the same time, however, a different and third level of negotiating space opened up. Paul-André Rosental's afterword in this volume suggests that growing international flows of labour forced intra-national settlement and social systems to confront uncomfortable questions about the rights and needs of those who by definition did not belong. The response – bilateral treaties on welfare rights – in turn gave migrants a fixed reference point in their negotiations both with their host and origin communities. As he points out, the granting of rights to one group immediately fed through into demands by workers from other nations for comparable treatment.

Within this multi-layered negotiating space, migrants' belongings and entitlements to relief were sometimes mediated via agreements and practices that were situated *outside* or at least were *complementary* to normative provisions. Even in England and Wales the law was imperfectly, periodically and selectively applied. Before the eighteenth century, London and other urban or industrial areas developed locally orientated conventions about access to 'casual relief' for those out of their place or simply passing through. Migrants who found themselves outside the scope of settlement

legislation by virtue of their nationality or ethnicity might also be covered by well-known local conventions which simultaneously kept them outside the reach of vagrancy laws. By the later eighteenth century such local understandings had metamorphosed into a national ‘out-parish relief’ system which also stood outside the confines of the law.⁵¹ Across Europe the easy assumption of much of the early literature that settlement and removal systems did operate, and did operate according to the law, has given way to an appreciation that communities and officials tailored their policies. It is striking, for instance, that Swiss and Belgian towns were accused of being more ‘generous’ to rural residents falling into poverty than to their own settled poor because officials could clam back their relief costs. In England exactly the opposite was true. From Prussia to England and Wales, officials rapidly came to an understanding that removal did not work (with people incessantly coming back) and so developed other multi-layered systems of mediation. And Elizabeth Hurren reminds us that as the law on settlement was clarified and liberalized, so localities often turned very deliberately to informal strategies to exclude the non-believing poor. None of our case studies portray communities consistently and universally turning to expulsion as a remedy to the problem of those who could not labour for their own subsistence. European settlement systems were thus fractured and multi-coloured, such that even contiguous communities could act in very different ways when faced with the same ‘sort’ of migrant.

In turn, just as officials seem to have had considerable leeway in shaping the settlement system underneath and outside the law, so recent interest in the ego documents of the poor has re-conceptualized paupers as more active in shaping belonging, settlement, entitlement and the form and duration of relief, than has thus far been allowed. Our contributions on England and Wales clearly suggest that paupers had a detailed understanding of settlement law and that they actively shaped what they told local officials so as to generate particular outcomes. Having obtained a right to apply for relief in either settlement or host community, such paupers used notions of custom, Christian duty, precedent, threat and deference to shape the scope of resources that were bundled together (cash relief, medical treatment, clothing, rent payments), the value of what was on offer and the duration of the support offered. By the later nineteenth and into the twentieth century, this sort of claims-making was increasingly layered with issues of national identity, rights afforded by international treaties, and the possibility of using comparability to other groups of migrants as a reference point. The poor had, in other words, a capacity to negotiate and shape their own experience of both poor law and settlement.

Experience

Of course, it follows from these observations that the experiences of paupers in the settlement systems of all of the countries considered in this volume were more variegated than we recognize if we see migrants as a lumpen mass. Keith Snell has argued that questions of settlement and belonging figured strongly in the consciousness of migrants and others in eighteenth- and nineteenth-century England and Wales.⁵² The implication to be drawn from our case studies is that the same contention might be made across the different European settlement systems, and particularly in states such as Switzerland. Crudely, those ‘out of their place’ could never be sure that they would not be removed or denied the bundle of welfare possibilities that might allow them to stay in a host community, and hence they invested energy and resources in their stories of belonging. International migrants of a particular nationality also, as Paul-André Rosental shows, invested energy into constructing comparisons between themselves and those from other states. Yet, it is a very large step indeed from this observation to the idea that removal of the non-settled was either frequent or easy. In practice, and as we have already observed, officials struggled with the issue of what to do with the aged who were out of their place, particularly where the person or family concerned had grown old in their host community rather than simply moving there in the later stages of life.⁵³ For this group, positive considerations of contribution, custom, Christian duty and philanthropy had to be balanced with the threat of long-term bills in the minds of officials. The result, at least in English and Welsh communities, was the creation of an effectively irremovable group even before the nineteenth-century transition to residence-based settlement criteria. For other groups, legislation on their susceptibility to the law and practice of settlement and removal often had to catch up with the weight of accumulated local decision-making. Adaptive practice melted seamlessly for many countries and communities into relatively fluid settlement legislation and norms. Groups, such as the sick or insane, rarely achieved legally enshrined protection from removal, but across Europe it is possible to find evidence of the fact that poor health was one of the key arenas for contestation between officials, paupers and pauper advocates over rights to relief, stable residence and the form and duration of communal support.⁵⁴ Nor should we forget that while the question of the moral standing of poor migrants took on radically different importance in the decision to relieve or not and remove or not in different regions and states, there is compelling evidence that even those regarded as immoral often managed to escape the grasp of the formal settlement and removal system.⁵⁵

These observations, and the underlying contributions to this volume on which they are based, remind us that the intimate connection between questions of belonging or settlement and of access to welfare and other rights meant that the law, at whatever level it was codified, was always mediated. Even in England and Wales we must regard the Old and New Poor Law and the settlement legislation that stood alongside it as a system of chances. For the officials who enquired into settlement and dispensed benefits, the law was sufficiently vague to mean that right up to the point at which a pauper or family was put onto a cart to be taken 'home' no decision was immutable, no posturing reversible and no document absolute. The analogue for paupers is that while they understood the force of the law of the Old and New Poor Law, most knew they had multiple chances to slip beneath or through it. They faced, in short, a system in which it was possible to manufacture a shared fiction of belonging and deservingness with officials in host and settlement communities. The result was the creation of different (often conditional) levels of protection or security, in which an agreed landscape of claims making – for instance that sickness was a reason not to remove as long as the pauper claimed that his or her ultimate aim was to be well and to return to independence – nullified the force of the law. There is a sense, in other words, in which paupers and officials colluded to create a sliding scale of benefits attached to different types of explanations for poverty and dependence and to the way in which a claim was made. It is for this reason that paupers who wrote to or petitioned local and regional welfare officials always sought to show that relief was requested as a last resort and that it was taken as part (or upon the exhaustion) of much broader support systems which both mitigated the cost for communities and suggested the perennial possibility that the claimant would cease to need formal welfare. Equally, many of these potential claimants would emphasize their contribution to both locality and nation.⁵⁶

We see these basic ideas inscribed most strongly in the literature on England and Wales. Here, pauper letters and other ego documents exist in sufficient numbers for us to be sure that while activity under settlement and removal legislation was sometimes very substantial indeed, and that some communities consistently utilized the legislation, the basic fact is that the level of removal activity in particular was slender compared to the number of people out of their place and becoming poor. English and Welsh communities simply found solutions to such dependence, whether negative or positive. Almost none of those who wrote English pauper letters and who were, by definition, susceptible to removal were actually sent back to their home communities. The lack of reference to settlement issues by those who wrote English autobiographies is, as Jane Humphries

shows in her chapter for our volume, even more striking. This is a stark commentary on the reach and significance of the universal settlement legislation that has so often been seen as distinguishing Britain from elsewhere. Work on pauper letters on the continent is less advanced,⁵⁷ but as many of our contributors suggest implicitly or explicitly, settlement legislation and accumulated practice was only one consideration in the decision of who and when to remove and what relief package to develop for those who were deemed entitled. While we might argue that Switzerland in particular occupied a distinctive place at one end of the spectrum on attitudes to, and experiences of, belonging, much of the rest of Europe shared with England and Wales a fiction of legal regulation that gave way to pragmatic decision-making over the status and rights of waves of short- and long-term migrants.

Conclusion

Settlement was one of the key cornerstones to identity and the management of communal resources in Europe between the seventeenth and twentieth centuries. It was vital to perceptions of social order, rural-urban relations, the operation of labour markets, and the nature of family life. It is thus unsurprising that the question of how one belonged to a place, at what level and with what benefit, absorbed the energies of migrants rich and poor and of officials and representative groups in the communities to which they travelled. Yet it is clear that even in the most concretely defined system of normative regulations for deciding who belonged – in England and Wales – no universal or consistent answers were to be obtained. While settlement systems provided a mechanism for defining belonging and then removing those who did not fit, in practice relatively few of those potentially subject to removal *were* actually transported back to their places of legal belonging. Between the law and its enforcement stood a landscape in which accumulated institutional infrastructure (such as guilds), long established practice, the evolution of local legal precedent, custom, paternalism, Christian duty, gender relations, the ambiguities of legal statute and a widely understood moral economy facilitated the agency of the poor and the paths for retreat by local officials. In part this reflects path-dependency (the tortuous history of most settlement legislation created an inevitable set of grey areas that undermined black letter or local law), weaknesses at the centre in many European states, and limited administrative budgets. Yet officials also struggled with the very complexity of the migratory systems on which settlement laws and other restrictive initiatives were superimposed. The question of how to respond to

long-distance and permanent migration was very different to that posed by short-distance and temporary or seasonal migrants. Old male migrants posed a different challenge to young females, and, as Sandro Guzzi-Heeb points out for the Alpine region, in and out migration might mean something very different if inscribed into a comprehensive spatial kinship system than if migrants were friendless as well as penniless.⁵⁸ Settlement law was thus a starting point for making a workable system but not a sufficient framework for its execution. In this sense, the very poorest were afforded multiple opportunities to both shape their own ‘belonging’ and to escape the formal mechanisms established by states, regions and localities to restrict entitlements to bundles of community resources by using the proxy of settlement legislation.

This did not, of course, mean that the bundle of rights and benefits associated with successful pauper agency could offset the negative life-course impact of falling into poverty as a child. Jane Humphries in her chapter for our volume reminds us forcefully that even an English and Welsh poor law system national in scale and *relatively* uniform in benefits could not prevent a poverty penalty for young children. Yet, she also reminds us that there is a profound danger of overstating the impact of the settlement laws on the mental world of paupers. Few of those who wrote autobiographies seem to have been much animated by such concerns. Whether this reflects biases in the evidence – a sense that those literate enough to write an autobiography were unlikely to reflect on these matters – or a genuine disjuncture between the perspectives of historians and those of contemporaries, is something that requires more extensive testing on the European stage. The particular problems posed by long-distance inter-state migration in nineteenth- and twentieth-century Europe, especially when set against the backdrop of the national collectivization of welfare systems from the 1880s, equally requires a more extensive treatment. As Paul-André Rosental points out in his Afterword, the presence of these migrants might necessitate new forms of law and identification as well as welfare. Superimposed upon often complex regional and national settlement systems, the assumed or bilateral legal rights and aspirations of such groups created new layers of belonging and necessitated new structures by which naturalization to French citizenship could be achieved.⁵⁹ States like Britain largely shunned bilateral agreements, but even here questions of naturalization and the willingness or otherwise of communities to support the processes of integration created from the later nineteenth century much more layered senses of who ‘belonged’.⁶⁰ At the same time, the very act of legislating for one group invents a group of ‘others’, creating a milieu in which the case for the progressive extension, collectivization and formalization of ‘rights’ to both belonging and

bundles of associated rights takes on a powerful energy. In this space, bundles of rights become intimately inscribed into questions of national identity and international diplomacy. This does not, of course, mean that our period is one in which the locus of discussion about belonging moves inexorably or in linear fashion from the local to the international. As Anne Winter and Thijs Lambrecht show keenly in their chapters, the micro-politics of belonging has enduring power.

Notes

1. In terms of migratory streams these dates also encompass a period which saw a fundamental increase in migration rates, starting with migration rates of 70 per cent in the period 1600–1650 in The Netherlands, and then rippling out across Europe. See J. Lucassen and L. Lucassen. 2009. 'The Mobility Transition Revisited, 1500–1900: What the Case of Europe Can Offer to Global History', *Journal of Global History* 4, 370–373.
2. For the most sophisticated discussion of belonging see K. D. M. Snell. 2006. *Parish and Belonging: Community, Identity and Welfare in England and Wales 1700–1950*, Cambridge. As Jane Humphries points out in her contribution to this volume, however, terms such as 'belonging' in the context of the poor might actually be created by, or have their meaning particularized in the context of, the very administrative systems established to deal with migrants and others who left their place of legal residence.
3. English and Welsh settlement legislation is summarized by Snell, *Parish and Belonging*, 81–161; L. Charlesworth. 2010. *Welfare's Forgotten Past: A Socio-Legal History of the Poor Law*, Abingdon, 74–103.
4. See J.-P. Gutton. 1971. *La société et les pauvres. L'exemple de la Généralité de Lyon 1534–1789*, Paris; K. Norberg. 1985. *Rich and Poor in Grenoble, 1600–1814*, Berkeley; T. Smith. 2003. *Creating the Welfare State in France, 1880–1940*, Montreal.
5. See the chapter of Anne-Lise Head-König in this volume. See also M. Leimgruber. 2008. *Solidarity Without the State? Business and the Shaping of the Swiss Welfare State, 1890–2000*, Cambridge, 1–16.
6. See A. Fahrmeir. 2007. *Citizenship: The Rise and Fall of a Modern Concept*, New Haven.
7. See P. Slack. 1999. *From Reformation to Improvement: Public Welfare in Early Modern England*, Oxford, 26–54; S. Hindle. 2004. *On the Parish? The Micro Politics of Poor Relief in Rural England 1550–1750*, Oxford, 300–360; A. Winter. 2012. 'Regulating Urban Migration and Relief Entitlements in Eighteenth-Century Brabant', in B. De Munck and A. Winter (eds), *Gated Communities? Regulating Migration in Early Modern Cities*, Aldershot, 175–196.
8. S. King. 2011. 'Welfare Regimes and Welfare Regions in Britain and Europe, c. 1750–1860', *Journal of Modern European History* 9, 42–66.
9. See the chapter by Anne-Lise Head-König in this volume. On the propensity of Swiss mercenaries to return 'home' on a much greater scale than those of other states, see F. Redlich. 1964. *The German Military Enterpriser and his Work Force: A Study in European Economic and Social History*, Wiesbaden, 114–117.
10. P.-A. Rosental. 2011. 'Migrations, souveraineté, droits sociaux. Protéger et expulser les étrangers en Europe du XIXe siècle à nous jours', *Annales HSS* 66, 335–373.
11. Summarized well in L. Hollen Lees. 1998. *The Solidarities of Strangers: The English Poor Laws and the People 1700–1948*, Cambridge.

12. For context see G. Noiriel. 1992. *Population, immigration et identité nationale en France: XIXe-XXe siècle*, Paris; A. Fahrmeir. 2000. *Citizens and Aliens: Foreigners and the Law in Britain and the German States, 1789–1870*, Oxford.
13. P. Slack. 1988. *Poverty and Policy in Tudor and Stuart England*, London.
14. S. Webb and B. Webb. 1927. *English Local Government. English Poor Law History, Part I: The Old Poor Law*, London; G. Oxley. 1974. *Poor Relief in England and Wales 1601–1834*, Newton Abbott.
15. The debate, primarily between Keith Snell and Norma Landau, is excellently summarized in R. Wells. 1993. ‘Migration, the Law and Parochial Policy in Eighteenth and Early Nineteenth Century Southern England’, *Southern History* 15, 86–139.
16. P. Solar. 1995. ‘Poor Relief and English Economic Development before the Industrial Revolution’, *Economic History Review* 48, 1–22.
17. For the best summary of British migration patterns see C. Pooley and J. Turnbull. 1998. *Migration and Mobility in Britain since the Eighteenth Century*, London.
18. A. Levene. 2010. ‘Poor Families, Removal and ‘Nurture’ in Late Old Poor Law London’, *Continuity and Change* 25, 233–262.
19. S. King. 2005. “‘It Is Impossible for Our Vestry to Judge His Case into Perfection from Here’”: Managing the Distance Dimensions of Poor Relief, 1800–40’, *Rural History* 16, 161–189.
20. For a review of this research see Hindle, *On the Parish*, 227–299.
21. J. Taylor. 1991. ‘A Different Kind of Speenhamland: Nonresident Relief in the Industrial Revolution’, *Journal of British Studies* 30, 183–208.
22. See J. Innes. 1998. ‘State, Church and Voluntarism in European Welfare 1690–1850’, in H. Cunningham and J. Innes (eds), *Charity, Philanthropy and Reform from the 1690s to 1850*, Basingstoke, 225–280.
23. J. Weiss. 1983. ‘Origins of the French Welfare State: Poor Relief in the Third Republic 1871–1914’, *French Historical Studies* 13, 47–77; P.-A. Rosental. 1999. *Les sentiers invisibles: Espace, familles et migrations dans la France du 19e siècle*, Paris, 7–23, 63–79; Smith, *Creating the Welfare State*.
24. For the most recent discussion of this framework see contributions to A. Gestrich, L. Raphael and H. Uerlings (eds). 2009. *Strangers and Poor People: Changing Patterns of Inclusion and Exclusion in Europe and the Mediterranean World from Classical Antiquity to the Present Day*, Frankfurt. On the intertwining of issues of settlement with the wider question of begging see contributions to B. Althammer (ed.). 2007. *Bettler in der europäischen Stadt der Moderne: Zwischen Barmherzigkeit, Repression und Sozialreform*. Frankfurt. See also R. Jütte. 2000. *Arme, Bettler, Beutelschneider: Eine Sozialgeschichte der Armut in der Frühen Neuzeit*. Weimar; M. Scheutz. 2003. *Ausgesperrt und gejagt, geduldet und versteckt: Bettlervisitationen im Niederösterreich des 18. Jahrhunderts*, St Pölten.
25. Snell, *Parish and Belonging*, 1–27.
26. Apprenticeship was a source of rancid dispute between communities across Europe because it both gave long-term security to young migrants and provided an easily manipulable way for officials to offload liabilities onto surrounding communities.
27. See the chapter by Paul-André Rosental in this volume.
28. See P. Baldwin. 1990. *The Politics of Social Solidarity and the Bourgeois Basis of the European Welfare State, 1875–1975*, Cambridge. For a discussion of the relationship between residence-based and other settlement systems, see Winter, ‘Regulating Urban Migration’, 178–180.
29. G. Brunet. 2011. ‘So Many Orphans ... How Could One Give Them All a Helping Hand? Family Solidarity in a Context of High Mortality in the First Half of the Nineteenth Century. A Case Study: The Dombes Province (France)’, *History of the Family* 16, 1–12. Also M. S. Dupont-Bouchat. 1996. ‘Enfants corrigés, enfants protégés: Gènes de la protection de l’enfance en Belgique, en France et aux Pays-Bas 1820–1914’, *Droit et Société* 32, 89–104.

30. For the suggestion that 80 million military personnel passed within and between European states between 1500 and 1900 see Lucassen and Lucassen, ‘The Mobility Transition’, 365–366, 368. Also contributions to M. Asche, M. Herrmann, U. Ludwig and A. Schindling (eds). 2008. *Krieg, Militär und Migration in der Frühen Neuzeit*, Münster.
31. On late nineteenth-century attempts to finally deal with problematic groups see contributions to W. Loth and J.-C. Kaiser (eds). 1997. *Soziale Reform im Kaiserreich: Protestantismus, Katholizismus und Sozialpolitik*. Stuttgart.
32. See also R. Dorwart. 1971. *The Prussian Welfare State before 1740*, Cambridge; L. Frohman. 2008. *Poor Relief and Welfare in Germany from the Reformation to World War I*, Cambridge.
33. For the suggestion that black people – slaves, ex-slaves and others – formed up to 10 per cent of the population of some towns, see Lucassen and Lucassen, ‘The Mobility Transition’, 357.
34. Fahrmeir, *Citizens and Aliens*, 68–83.
35. For a particularly good example in the Porto district see C. Viegas de Andrade. 2010. ‘Marriage Patterns in Nineteenth-Century Vila de Conde: The Study of an Urban Centre in Northwest Portugal’, *History of the Family* 15, 44.
36. L. Gray. 2002. ‘The Experience of Old Age in the Narratives of the Rural Poor in Early Modern Germany’, in S. Ottaway, L. Botelho and K. Kittredge (eds), *Power and Poverty: Old Age in the Pre-Industrial Past*, Westport, 107–123; S. King, T. Nutt and A. Tomkins (eds). 2006. *Narratives of the Poor in Eighteenth Century Britain*, London; K. Marx. 2008. *Armut und Fürsorge auf dem Land: Vom Ende des 19. Jahrhunderts bis 1933*. Göttingen.
37. Various institutional factors (such as guilds) also complicate any simplistic balancing of interest groups.
38. Steven King and Andreas Gestrich are currently engaged in a project, funded jointly by the DFG and AHRC, to collect and analyse such sources.
39. H. van Wijngaarden. 2000. *Zorg voor de kost. Armenzorg, arbeid en onderlinge hulp in Zwolle 1650–1700*, Amsterdam; Gray, ‘The Experience of Old Age’.
40. For a discussion of the importance of this factor see S. Hochstadt. 1999. *Mobility and Modernity: Migration in Germany 1820–1989*, Ann Arbor, 1–16.
41. On kinship obligations and welfare see A. Schmidt. 2007. ‘Survival Strategies of Widows and Their Families in Early Modern Holland, c. 1580–1750’, *History of the Family* 12, 275; S. King. 2010. ‘Forme et fonction de la parenté chez les populations pauvres d’Angleterre, 1880–1840’, *Annales* 65, 1147–1174.
42. Charlesworth, *Welfare’s Forgotten Past*, 1–7.
43. See W. Mommsen and W. Mock. 1981. *The Emergence of the Welfare State in Britain and Germany 1880–1950*, Newton Abbott; E. P. Hennock. 2007. *The Origins of the Welfare State in England and Germany: 1850–1914: Social Policies Compared*, Cambridge. For local debate see S. Veits-Falk. 2000. ‘Zeit der Noth’: *Armut in Salzburg 1803–70*, Salzburg; Smith, *Creating the Welfare State*; L. Frohman. 2008. ‘Break Up of the Poor Laws – German Style: Progressivism and the Origins of the Welfare State 1900–1918’, *Comparative Studies in Society and History* 50, 981–1009.
44. Particularly for instance during the nineteenth-century cholera epidemics. See M. Manfredini. 2003. ‘Families in Motion: The Role and Characteristics of Household Migration in a 19th-Century Rural Italian Parish’, *History of the Family* 8, 326, 335–336; B. Althammer. 2012. ‘Poverty and Epidemics: Perceptions of the Poor at Times of Cholera in Germany and Spain, 1830s–1860s’, in A. Gestrich, E. Hurren and S. King (eds), *Poverty and Sickness in Modern Europe: Narratives of the Sick Poor, 1780–1938*, London, 93–116.
45. The literature on this area is vast but deftly summarized by Lucassen and Lucassen, ‘The Mobility Transition’.
46. See A. Fauve-Chamoux. 2006. ‘Family Reproduction and Stem-Family System: From Pyrenean Valleys to Norwegian Farms’, *History of the Family* 11, 171–184.

47. J. Sánchez-Barricarte. 2002. 'Developments in Household Patterns in Three Towns in Navarre, Spain, 1786–1986', *History of the Family* 7, 479–499. Also Manfredini, 'Families in Motion'.
48. M. Szołtysek. 2008. 'Three Kinds of Preindustrial Household Formation System in Historical Eastern Europe: A Challenge to Spatial Patterns of the European Family', *History of the Family* 13, 223–257.
49. M. Dribe. 2000. *Leaving Home in a Peasant Society: Economic Fluctuations, Household Dynamics and Youth Migration in Southern Sweden, 1829–1866*, Stockholm; M. Szołtysek. 2007. 'Central European Household and Family Systems, and the 'Hajnal-Mitterauer' line: The Parish of Bujakow (18th–19th Centuries)', *History of the Family* 12, 19–42.
50. See M. Lanzinger. 2003. *Das gesicherte Erbe. Heirat in lokalen und familialen Kontexten. Inichen 1700–1900*, Vienna, 45–86; P. Teibenbacher. 2009. 'Natural Population Movement and Marriage Restrictions and Hindrances in Styria in the 17th to 19th Centuries', *History of the Family* 14, 292–308.
51. King, 'It Is Impossible'.
52. Snell, *Parish and Belonging*, 81–104.
53. For an intriguing study of the scale and impact of Belgian migration in old age, see M. Neven. 2003. 'Terra Incognita: Migration of the Elderly and the Nuclear Hardship Hypothesis', *History of the Family* 8, 273–275.
54. See A. Gestrich, E. Hurren, and S. King. 2012. 'Narratives of Poverty and Sickness in Europe 1780–1938: Sources, Methods and Experiences', in Gestrich, Hurren and King, *Poverty and Sickness*, 1–34.
55. Contrast for instance the central importance of moral standing in the decision of who to relieve and who to remove in some of the Germanic states with the persistent failure to remove even morally suspect pauper beggars from English communities. See Gray, 'The Experience of Old Age'; T. Hitchcock. 2004. *Down and Out in Eighteenth Century London*, London; S. King and A. Stringer. 2012. "'I have once more taken the Liberty to say as you well know": The Development of Rhetoric in the Letters of the English, Welsh and Scottish Sick and Poor 1780s–1830s', in Gestrich, Hurren and King, *Poverty and Sickness*, 69–92.
56. On England see T. Sokoll. 2001. *Essex Pauper Letters, 1731–1837*, Oxford. For Europe, see M. van Ginderachter and M. Beyen (eds). 2011. *Nationhood From Below: Europe in the Long Nineteenth Century*, Basingstoke, 1–17; Gray, 'The Experience of Old Age'.
57. Though see Wijngaarden, *Zorg voor de kost*; Schmidt, 'Survival Strategies', 268.
58. S. Guzzi-Heeb. 2009. 'Kinship, Ritual Kinship and Political Milieus in an Alpine valley in 19th Century', *History of the Family* 14, 107–123. Also Manfredini, 'Families in Motion'.
59. See also Rosental, 'Migrations', 337–338, 334–341.
60. See particularly L. Tabili. 2011. *Global Migrants, Local Culture: Natives and Newcomers in Provincial England, 1841–1939*, Basingstoke, passim.