Public discourse, local knowledge and enchantment in England 1500 to the present day

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Introduction

In this paper I examine two of the principle issues to be raised in the *Dialectic of Private and Public Knowledge in Early Modern Europe* conference:

- 'How does the collection of information by private or socially located actors connect, or not, to state authority?'

- 'Under what conditions does official information become "public" information?'

As I have argued elsewhere[1], how we conceptualise the relationship between the knowledge of private or socially located actors and state authority depends very much on what you mean by 'the State' and the 'Private Sphere'. If we think of the early-modern English State as a distributed system of governance, with multiple levels and intersecting forms of authority and power (local, county, country), and both civil and religious, then I would argue that distinctions between private/local and public/central information collection meant comparatively little in England until the nineteenth century. It was then that the State started to become an entity over and above the local and private spheres. This picture of the genesis of the state/private spheres owes perhaps rather more to Hegel than to Habermas – the English central 'State' was differentiated out of networks of local social knowledge and intercourse, rather than the latter being established in opposition to the State as Habermas argues in his *The Structural Transformation of the Public Sphere*.[2] This may reflect the way in which England failed to develop the type of absolute monarchy and courtly government seen in the rest of Europe at the end of the early-modern period which Habermas posits, and that the country's route to 'democracy' was via the co-option of groups into the central ruling elite rather than through the establishment of revolutionary rights.

Local knowledge and governance in pre-modern England

It was, of course, possible for local knowledge to feed directly into the central State in England in the period prior to 1800 but this was mostly on a narrow range of matters reflecting the prime interests of the monarchy – taxation, and dynastic survival and expansion. The direction of information travel was mostly, but not always, towards the centre, and there was little attempt to create a global

[1] Edward Higgs, *The Information State in England: the Central Collection of Information on Citizens since 1500* (London: Palgrave, 2004); Edward Higgs, 'Further thoughts on The Information State in England … since 1500', in Kees Boersma, Rosamunde van Brakel, Chiara Fonio and Pieter Wagenaar (eds.), *Histories of Surveillance in Europe and Beyond* (London: Palgrave, 2014), pp. 17-31.

[2] Jürgen Habermas, *The Structural Transformation of the Public Sphere. An Inquiry into a Category of Bourgeois Society* (Cambridge: Polity Press, 1992).

picture of the nation for local consumption. Domesday Book, for example, William the Conqueror's great survey of English landowning and royal dues of the late eleventh century, drew directly on the local knowledge of aristocrats and villagers for its compilation.[3] So powerful was the mystique of the resulting manuscript compilation of rights and resources that by the late twelfth century the Dialogus de Sacarrio stated that it had acquired the title 'Domesday' as a metaphor for the day of judgement, because its decisions, like those of the Last Judgement, were unalterable. For many centuries Domesday was regarded as the authoritative register of ancient landholding and was used mainly for that purpose.[4] Similarly, Edward I's Quo Warranto proceedings into the rights by which manorial lords of the late thirteen century held their properties depended on central commissioners holding local inquests across the country.[5] The medieval and early-modern monarchs were also interested in the wealth that they could mulct from an estate when a feudal tenant-in-chief died, especially if the heir was under age. This resulted in the long series of *inquisitions post mortem* in which local juries were called on to answer a series of questions relating to the extent, tenure and value of the lands, the properties and rights of the deceased, and to identity the nearest heir.[6] In the early-modern period, as the monarchy ceased to 'live off its own', local elites were enlisted to gather information on the taxable wealth of their communities for the purposes of gathering assessed taxes.[7] Local community assessors had to forward an estimate of the probable returns from such taxes to the central Exchequer, which often involved collecting information on the assessable items in each household – windows, hearths, dogs, male servants, and so on.[8] All these examples show local information feeding into the activities of the central State from a very early date but, as already noted, it was not used as raw data for creating summary compilations to be fed back into society.[9] Indeed, some of the original documents relating to assessed taxation held at the National Archives in London are still tied up in the original bags in which they were stored after presentation in the Exchequer.[10]

Medieval and early-modern monarchs up to the early seventeenth century also had to undertake personal peregrinations on a regular basis to keep in touch with local elites and their concerns.

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[3] Sally Harvey, *Domesday: Book of Judgment* (Oxford: Oxford University Press, 2014), p. 56-86.

[4] Ibid., pp. 272-3.

[5] D. W. Sutherland, *Quo Warranto Proceedings in Reign of Edward I, 1278-94* (Oxford: Oxford University Press, 1963).

[6] The tens of thousands of these returns to these enquiries can be found in multiple record classes at the National Archives in London, including C 132-142 and E 149-150.

[7] The tens of thousands of tax assessments o gathered can now be found in the National Archives: E179 Exchequer: King's Remembrancer: Particulars of Account and other records relating to Lay and Clerical Taxation.

[8] Higgs, *The Information State in England* , pp. 46-9

[9] They have, of course, been used by modern historians to do just that. See, for example, the work of the Cambridge Group for the History of Population and Social Structure: https://www.campop.geog.cam.ac.uk/

[10] Personal recollection from when I was an Assistant Keeper of the Public Records.

These royal progresses have, of course, been plotted via the places at which royal charters and writs were issued.[11] However, such local information gathering was increasingly supplemented and then replaced by the networks of correspondence that found their way into the State Papers Office in London, and the inevitable activities of spies such as Daniel Defoe.[12] Even if papers were collected by the secretaries of state in London, there was very little chance that they would have been the basis of public knowledge, since they were the working papers of royal government and were kept in comparatively little order. The various record classes that these now form in the Nation Archives in London are a later reconstruction of this voluminous archive. Even then the archivists in the Victorian Public Record Office (the precursor of the modern National Archives) destroyed much of the coherence of the papers by physically separating them into the State Papers Domestic and State Papers Foreign, and putting anything printed into the Office's own internal library rather than into the main archive.[13]

It is perhaps noteworthy in this respect that even during the Tudor Reformation, that great period of monarchical assertion of power over the realm of England, there was little attempt by the monarchy to create and disseminate a picture of the nation to inform local discourse. John Leland may, or may not, have been Henry VIII's official antiquarian, but his larger vision of an official history of Britain came to naught.[14] Instead, the great Tudor works that established an image of Englishness for the literate of the period were private productions, such as John Foxe's *Acts and Monuments* ('The Book of Martyrs'), William Camden's *Britannia,* and the maps of Humphrey Llwyd.[15] Similarly, the first great work of English imperial hagiography was not an official work but a private publication, Richard

[11] Higgs, *The Information State in England* , pp. 54-5.

[12] Daniel Defoe, *A tour thro' the whole island of Great Britain, divided into circuits or journies. Giving a particular and diverting account of whatever is curious and worth observation ... With useful observations upon the whole. Particularly fitted for the reading of such as desire to travel over the island / By a gentleman.* (London: G. Strahan [etc.], 1724-27. [1724-26]).

[13] I discovered this when the Public Record Office's internal Librarian in the 1980s.

[14] James P. Carley, (ed.) *De uiris illustribus: On Famous Men* (Toronto and Oxford: Pontifical Institute of Mediaeval Studies/Bodleian Library, 2010), pp. xxvi–xxix.

[15] John Foxe , *Actes and Monuments of these latter and perilous dayes, touching matters of the Church wherein ar comprehended and described the great persecutions & horrible troubles, that haue bene wrought and practised by the Romishe Prelates, speciallye in this Realme of England and Scotlande, from the yeare of our Lorde a thousande, unto the tyme nowe present* (London, John Day, 1563); William Camden, *Britannia sive Florentissimorvm regnorvm, Angliæ, Scotiæ, Hiberniæ, et insvlarum adiacentium ex intima antiquitate chorographica descriptio* (London: Raplph Newbery, 1586); R. Brinley Jones, 'Humphrey Llwyd', *Oxford Dictionary of National Biography*: http://0-www.oxforddnb.com.serlib0.essex.ac.uk/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-16867?rskey=AZsIMq&result=2 (accessed 03/10/2018).

Hakluyt's *Principal Navigations*.[16] I will return to the issue of the 'imagined community' of England when I discuss below the creation of the classic liberal State of the nineteenth century.[17]

Local knowledge was, however, much more likely to inform the workings of the local forms of governance that developed in early-modern England. This statement is indeed something of a tautology because those involved in local governance in early-modern England were themselves local residents, rather than central appointees as in the case of the royal *intendants* in France. Leaving aside the institutions of the manor as the basis of local feudal governance, we can see in the early-modern period numerous forms of local government by 'officers under the Crown', who were held to account by royal appointed justices or county sheriffs but who acted locally on their own initiative. Such local elites in parishes, hundreds and counties shared with the central monarchy a desire for order and good governance, and were more than happy to share in the authority and dignity of the monarch in pursuing them.[18] This symbiosis lasted throughout the early-modern period, except during the fracturing of the English polity during the Civil Wars of the 1640s.

This co-option of the Crown by local elites, rather than the other way round, can be seen in the case of the Old Poor Laws, which were codified by the Elizabethan Poor Law Acts of 1597 and 1601, and the Vagabonds Acts of 1547, 1572 and 1597. These Acts laid down that the deserving and undeserving poor should be distinguished by their behaviour and moral worth, and while the former were to be relieved by a poor rate, the latter could be forced into workhouses and compelled to work there, or, if 'vagrants', sent back to their home parishes, whipped without compunction, or eventually hung. (If the State is that which claims the monopoly of violence, then it was certainly present in local Tudor communities in the form of the overseers of the poor and justices of the peace.) Parishes had to appoint overseers of the poor to both undertake the narrow surveillance of the poor this system required, and to collect rates and run workhouses.[19] The activities of the Poor Law officers involved the acquisition of an intimate knowledge of the material circumstances and doings of the poor.[20] However, as Majorie Keniston McIntosh has recently shown, in a town such as Hadleigh in Suffolk many of these forms of provision for the management of the poor had already been set up in the course of the sixteenth century by a group of unofficial and self-appointed 'Chief Inhabitants'. These men, mostly local cloth manufacturers, acted partly out of Protestant charity, but the system they created also gave them more control over their workforce. By the beginning of the seventeenth century Hadleigh's system of poor relief was working

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[16] Richard Hakluyt, *The Principal Navigations, Voiages, Traffiques and Discoueries of the English Nation, Made by Sea or Overland ... at Any Time Within the Compasse of these 1500 Yeeres, &c.* (London: G. Bishop, R. Newberie & R. Barker, 1600).

[17] The concept of the 'imagined community' is taken, of course, from Benedict Anderson, *Imagined communities : reflections on the origin and spread of nationalism* (London: Verso, 1983)

[18] Mark Goldie, 'The unacknowledged republic: officeholding in early modern England', in Tim Harris (ed.), *The politics of the excluded, c.1500-1850* (Basingstoke: Palgrave, 2001), p. 154. For a general discussion of the nature of the pre-modern state, see, Discussion Group on the State, 'When and what was the State? St Peter's Oxford, 29-31 March, 2001', *Journal of Historical Sociology*, 15(1) March 2002, pp. 59-165.

[19] For a general introduction to the Old Poor Law in England see: Paul Slack, *Poverty and policy in Tudor and Stuart England* (London: Longman, 1988).

[20] Higgs, *The Information State in England*, pp. 40-2.

under the powers conferred by the Poor Law statutes.[21] This Suffolk town developed an unusually complex system of relief but the relationship between local elites and the Crown its history reveals was mirrored across the realm.

Even when welfare benefits became 'nationalised' in the twentieth century, it was still the responsibility of local elites to vouch for the identity of individuals via the 'recommender system'. This involved some person with semi-official status in the local community countersigning the application forms of claimants to vouch for their identity and the information they supplied. For example, in order to determine claims under the 1908 Old Age Pensions Act, pensions officers were advised to obtain references from former employers, and 'respectable people on whose word reliance can be placed' such as 'poor law officials, ministers of religion, clerks to the justices, petty session clerks, collectors of rates, police officials, shopkeepers, or officials connected with friendly and other provident societies, or with trade unions'. Claimants for unemployment benefits under the 1911 National Insurance Act would also have their original applications sent back to previous employers for verification By the 1930s those claiming pensions from the Ministry of Pensions had to obtain a 'Life Certificate' proving their identity, which was to be attested by local officials or professionals . Life certificates were still being used for the dependents of soldiers who died in the Second World War. In the post-war period, a similar range of communal elites was expected to countersign passport applications, and to sign the back of photographs forwarded with the applications to the Foreign Office.[22] Thus, centralised welfare still relied on local knowledge well into the modern period.[23]

In many ways the local apparatus of the Church of England can be fitted into the local knowledge economy of the early-modern period. Although the Church was a spiritual entity concerned with the afterlife of the human soul, we should also remember that it was an organ of royal government with the monarch at its head. Local church courts not only gathered information from parish communities on religious misdemeanours through 'presentments' by parishioners but also allowed extra-marital liaisons and illegitimacy to be discovered and punished. Apart from the suppression of sin, this had a purely secular motive in that such infidelities undermined the co-operation between households that might be essential during times of dearth, and so helped prevent food riots. There was also the fear that illegitimate children might become a burden on the local Poor Law. In this manner the church courts can be seen as working in parallel with the secular institutions of the civil, as opposed to ecclesiastical, parish, and might depend on the activities of the same local individuals in their spiritual as well as civil capacities.[24] Similarly, parochial registration of baptisms, marriages and burials, introduced by Thomas Cromwell in 1538, not only marked religious rites of passage but conferred welfare rights in terms of proving a local Poor Law settlement, or property rights through

[21] Majorie Keniston McIntosh, *Poor Relief and Community in Hadleigh, Suffolk 1547-1600* (Hatfield: University of Hertforshire Press, 2013).

[22] The Irish passport authorities also continue to use this system, as I have recently discovered.

[23] Edward Higgs, *Identifying the English: Personal Identification 1500 to the Present* (London: Continuum, 2011), pp. 148-50.

[24] Higgs, *The Information State*, pp. 38-40.

proving lines of descent.[25] Their practical use was, of course, for local administration and legal proceedings, rather than for creating a central picture of the country as in modern censuses. Other local forms of knowledge, other than that supplied by the parish registers, underpinned the official recognition of death – the local community saw the soul into the communion of the faithful on earth, and also into heaven. According to the late thirteenth-century statute De Officio Coronatoris, if someone was killed it was the duty of the coroner to ask locals, 'whether they know where the person was slain, whether it were in any house, field, bed, tavern, or company, and if any and who were there'. It was the duty of the person finding the body, the 'first finder', to raise the hue and cry, and the local township had to guard the dead body until the coroner's arrival. On being notified of such a death it was the responsibility of the coroner to go to view the body, and to summon a jury of 12 to 16 men from the locality to meet on a certain day, often in the local tavern. The 'first finder' showed the naked body to the coroner, who felt it to look for wounds, bruises or strangulation. The jurors at the inquest had to identify the body, and determine if the death had been caused feloniously, by misadventure or naturally, and, if feloniously, whether by homicide or suicide. On obtaining the names of those who had committed the homicide from the jurors, the coroner had to order their arrest.[26] The broader concept of 'trial by one's peers' has been, of course, at the core of English common law tradition.

Local communal knowledge was also crucial in the manner in which the local electoral system, the underpinning of one half of the governing 'Crown in Parliament', functioned. In most towns in the early-modern period the franchise was restricted to the owners of certain freehold properties, or 'burgages', to members of the corporation, and to the freemen. In the countryside, the franchise was confined to those holding freehold property valued at 40s per annum. In smaller boroughs, with their small constituencies of perhaps twelve to fifty voters, a man whose predecessor in the possession of a property had been admitted to the poll was himself entitled to vote. Which properties conferred the franchise was general knowledge in the community, and the electors were known to each other, and to the officers who conducted the poll.[27] However, more formal record keeping was gradually introduced, if haltingly, into the process of identifying voters. The whole political system of 'Old Corruption' was, of course, intensely localised, and different constituencies could have differing franchises, especially in the boroughs.

The nineteenth century Reform Acts, starting in 1832, saw the development of a standardised franchise, and that modern means of recording electors, the electoral register. The £10 householder franchise was introduced in boroughs, and town clerks had the responsibility of drawing up lists of freemen. These lists were displayed on the doors of every church and chapel, and objections could be made to the names, appeals being heard by revising barristers. In counties, electors had to

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[25] K. D. M. Snell, *Parish and Belonging. Community, Identity and Welfare in England and Wales 1700-1950* (Cambridge: Cambridge University Press, 2006), pp. 85-6; Edward Higgs, *Life, Death and Statistics: Civil Registration, Censuses and the work of the General Register Office, 1837-1952* (Hatfield: Local Population Studies, 2004), pp. 1-21.

[26] John Jervis, *A practical treatise on the office and duties of coroners* (London: Sweet, Maxwell and Stevens & Norton, 1854), pp. 13-23.

[27] Higgs, *Identifying the English*, pp. 57-8.

approach the overseers to have their names put on the lists, and overseers could examine their qualifications, and objections could still be made. Annual registration of voting involved the posting up of lists of voters which members of the public could vet. The overseers of the poor were the registration officials, and so used the poor rate books to identify qualified persons, since those holding property had to pay the rates. The 1867 Reform Act gave lodgers paying rent of £10 the vote but they were not on the rate books, so they had to make a claim to the registration officer. Their name on the list of voters could again be challenged by other voters or claimants, although the voter could appeal to a revising barrister's court.[28] The late nineteenth and twentieth-century legislation on voting and electoral registers merely strengthened and elaborated this system. To this day it is still not necessary for English voters to show personal identification at the polling booth, and they merely have to show a card sent to their address on the electoral register. This is despite an Electoral Commission report of 2014 recommending that identification documents should be produced when voting.[29]

The conclusion to be drawn here is that early modern England was indeed an 'information State', in which there was an intimate connection between local knowledge and state activities. But this was because governance was primarily local. Given the inquisitorial nature of this local State, and its dependence on the knowledge of locals and communities informing its workings, state knowledge was inevitably public knowledge. Of course, this 'public' might not include everyone in a locality, and we ought to make a distinction between elite knowledge and 'common' knowledge.

A new State and a new Public?

It is perhaps always a mistake to try to see fundamental breaks in English history, since there is a sense in which the country's uniqueness lies in its lack of such upheavals. Even the Civil Wars of the mid-seventeenth century ended in the Restoration of the Monarchy, although the balance between the Crown and its more powerful subjects had plainly shifted. The country has never seen a successful invasion since the medieval period, bar that of the Dutch in 1688 and the Americans in 1942, and both of these were welcomed by much of the political elite. In addition, it never experienced the absolute monarchies of Continental Europe, nor the seismic revolutions that sometimes ended them. However, the late eighteenth and early nineteenth centuries did see the beginnings of a replacement of the local regime of governance via parish, county, local courts and churches. Eventually England has become one of the most heavily centralised states in modern Europe. As this shift took place, so the central State began to become more concerned to amass information about the 'state of the nation', and to get local government to act upon it, or indeed to act locally itself. This required local communities to accept both the central authority's understanding of the conditions of society, and its right to intervene to change them.

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[28] Prest, *Politics in the Age of Cobden*, pp. 19–21; J. A. Thomas, 'The system of registration and the development of party organisation, 1832–70', *History*, 35 (1950), pp. 82–3.

[29] Electoral Commission, *Electoral Fraud in the UK: Final Report and Recommendations, January 2014:* https://www.electoralcommission.org.uk/__data/assets/pdf_file/0008/164609/Electoral-fraud-review-final-report.pdf (Accessed 03/09/2018).

Why this shift took place is plainly beyond the scope of a paper such as this but some possible answers might be sketched out here as a background to what follows. According to a more traditional historiography, exemplified by the work of Oliver MacDonagh, the rise of central intervention into society reflected an administrative response to the 'intolerable' problems in society as a result of the Industrial Revolution.[30] However, this raises the issue of why certain issues suddenly became 'intolerable' in this period. Michel Foucault argued, of course, that this new interest in the central husbanding of the human resources of society reflected the need to foster 'biopower' in a period of constant inter-state warfare.[31] In Britain the Foucauldian concept of the state moulding of citizens has especially been developed by Patrick Joyce.[32] There may well be something to this but one should note that the rise of the interventionist State in England in the early nineteenth century took place in the period of comparative peace between the countries of Europe in the period 1815 to the 1860s. What may have been more important is that after the French Revolution social problems may have become 'intolerable' to political elites because they might portend political crises. Alternatively, we might understand the modern period as one in which most polities have a mixed constitution in Aristotle's sense[33], where various groups contend for oligarchic power within the State but have to submit themselves to a periodic democratic, or at least external, mandate. The interplay of aristocratic and bourgeois forces is, of course, the basis of much of the nineteenth century political history of England but we might also note the rise of another group, that of the middle-class 'expert', within the structures of the State. Here we might point to the careers of the likes of Edwin Chadwick[34] or William Farr[35] in the nineteenth-century Civil Service, or the work of Fabian socialists in the twentieth.[36] In the twenty-first century the influence

[30] Oliver MacDonagh, 'The nineteenth-century revolution in government: a reappraisal', *The Historical Journal,* I (1958), pp. 52-67; Oliver MacDonagh, *A pattern of government growth. The Passenger Acts and their enforcement 1800-1860* (London: MacGibbon and Kee, 1961); Oliver MacDonagh, *Early Victorian government 1830-1870* (London Weidenfeld and Nicolson, 1977).

[31] Michel Foucault, 'The subject and power', in Hubert L Dreyfus and Paul Rabinow (eds), *Michel Foucault: beyond structuralism and hermeneutics, with an afterward by Michel Foucault* (Brighton: Harvester, 1982), pp. 208-26; Michel Foucault, 'Governmentality', in Graham Burchell, Colin Gordon and Peter Miller (eds), *The Foucault effect: studies in governmentality* (London: Harvester Wheatsheaf, 1991), pp. 87-104.

[32] Patrick Joyce, *The Rule of Freedom: Liberalism and the Modern City* (London: Verso, 2003).

[33] Carrie-Ann Biondi , "Aristotle on the Mixed Constitution and Its Relevance for American Political Thought," in David Keyt and Fred D. Miller, Jr. (eds.), *Freedom, Reason, and the Polis: Essays in Ancient Greek Political Philosophy*, Cambridge: Cambridge University Press, 2007, 176–98.

[34] S. E. Finer, *The life and times of Sir Edwin Chadwick* , (London: Methuen, 1952); Anthony Brundage, *England's 'Prussian minister': Edwin Chadwick and the politics of government growth, 1832-1854* (University Park: Pennsylvania State University Press, 1988).

[35] John M. Eyler, *Victorian social medicine. The ideas and methods of William Farr* (London: Johns Hopkins University Press, 1979).

[36] Harold Perkin, *The Rise of Professional Society* (London; Routledge, 2001).

of this class of intellectual administrators and academic contributors to policy formation has been one (if not *the*) prime targets of right-wing populists.[37]

In the early nineteenth century much state information collection was for the purpose of influencing local activity, whether public or private, for in the words of John Stewart Mill:

> The authority which is most conversant with principles should be supreme over principles, while that which is most competent in details should have the details left to it. The principal business of the central authority should be to give instruction, of the local authority to apply it. Power may be localized, but knowledge, to be most useful, must be centralized..... [Central government] ought to keep open a perpetual communication with the localities: informing itself by their experience, and them by its own; giving advice freely when asked, volunteering it when seen to be required; compelling publicity and recordation of proceedings, and enforcing obedience to every general law which the legislature has laid down on the subject of local management.[38]

In order to facilitate such activity there was an expansion of centralised information gathering. This took many forms, such as the introduction of the decennial census and its reports in 1801[39], and the publication of *The Annual Reports of the Registrar General,* based on the civil registration of births, marriages and deaths introduced in 1837.[40] Combined these facilitated sanitary improvements, personal insurance, electoral reform, and a multitude of other Victorian developments. These parliamentary reports and papers were part of a flood of material instigated by Parliament, both drawing on local elite knowledge and informing it in turn. Thus, in 1750 there were 8 parliamentary papers and command paper published, but this rose to 280 in 1800, 606 in 1850, and to over a thousand in 1900.[41] A classic example of this form of investigation was Edwin Chadwick's *Report on the sanitary condition of the labouring population of Gt. Britain* of 1842*,* which gathered local information on the appalling filth in early Victorian cities, and led eventually to the 1848 Public Health Act and the beginnings of sanitary reform. [42]

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[37] Gove: Britons "Have Had Enough of Experts": https://duckduckgo.com/?q=Gove+experts&t=h_&ia=videos&iax=videos&iai=GGgiGtJk7MA (accessed 23/09/2018)

[38] John Stuart Mill, 'Considerations on representative government', in *Utilitarianism, On Liberty, Considerations on Representative Government* (London: J. M. Dent, 1993), pp. 388-9.

[39] Edward Higgs, *Making sense of the census. The manuscript returns for England and Wales, 1801-1901* (London: HMSO, 1989), pp. 2-4.

[40] Edward Higgs, *'The Annual Report of the Registrar General,* 1839-1920: a textual history', in Magnello, Eileen and Hardy, Anne (eds.) *The Road to Medical Statistics* (Amsterdam and Atlanta: Rodopi, 2002), pp. 55-76.

[41] Proquest House of Commons Parliamentary Papers: https://www.proquest.com/products-services/House-of-Commons-Parliamentary-Papers.html (accessed 25/09/2018.

[42] Edwin Chadwick, *Report on the sanitary condition of the labouring population of Gt. Britain 1842. ; edited with an introduction by M.W. Flinn* (Edinburgh: Edinburgh University Press, 1965).

This new Liberal State was also concerned to inform middle-class public opinion through its creation and funding of bodies for the amassing and dissemination of knowledge, which underpinned the creation of a sense of nationhood and national genius. We might include here the establishment or expansion of great museums and galleries across the country but especially in London, where the activities of Prince Albert, Victoria's consort, were of crucial importance.[43] To this may be added the creation of the great centres of public record such as the Public Record Office (now the National Archives), Patents Office, Land Registry, and so on, again in the Metropolis.[44] In addition, unlike the private or botched public attempts at creating the geography and narrative of an 'imagined community' in the early modern period, we find the Ordnance Survey publishing the first national maps in 1801[45], and the Historical Section of the Committee of Imperial Defence sponsoring a 29 volume of Official Histories of the Great War in the years after the conflict.[46]

This was a new type of State, eager to facilitate and mould the actions and outlooks of the new citizens of a modern age.

The enchanted world of Tony Blair

There was another way in which the knowledge work of the new State of the Victorian period, and its successors in the twentieth century, were different. Rather than relying solely on local and popular knowledge, its activities were increasingly informed by the desire of the middle-class experts, medical, statistical, and later scientific and academic, noted above to create a positivistic form of public knowledge that could then be fed back into society. The positivism of such experts led them to believe that society and the physical world operated according to general laws, and that these could be revealed by the statistical State as STATE-istics.[47] Introspective and intuitive knowledge were also rejected, as were metaphysics and theology, because metaphysical and theological claims could not be verified by sense experience or data collection. Taking their cue from David Hume's arguments in his *Philosophical Essays Concerning Human Understanding* of 1748, events, such as miracles, that were said to break the 'laws of nature' were ascribed to the ignorance and 'barbarism' of the less educated population.[48] Private knowledge, especially that of the 'populace', came to be seen as suspect if not downright reprehensible, infected as it was by prejudice and 'superstition'. As Weber was to point out[49], the victory of Capitalism and the positivist

[43] Stanley Weintraub, *Albert: Uncrowned King* (London: John Murray 1997), pp. 13-66.

[44] Higgs, *The Information State in England,* pp. 80-2.

[45] Rachel Hewitt, *Map of a Nation: A Biography of the Ordnance Office* (London: Granta Books, 2011), pp. 163-6.

[46] Andrew Green, *Writing the Great War: Sir James Edwards and the Official Histories, 1915-1948* (London: Frank Cass Publishers, 2003).

[47] The Victorian statisticians were building here on the work of the Belgian Adolphe Quetelet, especially his *Sur l'homme et le développement de ses facultés, ou Essai de physique sociale*. 2 volumes (Paris: Bachelier, 1835).

[48] David Hume, *An Enquiry Concerning Human Understanding* (London: Millar, 1748), Section X, pp. 173-204.

[49] Jürgen Habermas, *The Philosophical Discourse of Modernity* (Cambridge: Polity Press,1990), p. 2.

State were to lead to the 'disenchantment' of the world. Only 'facts' created through 'scientific' and 'rational' procedures could be the basis of public action – the 'public' now being that which was produced by state institutions, rather than by civil society.

Older forms of knowledge, long accepted by 'the common people' and elites alike, came to be undermined by these new modes of official thought. For example, when in the 1830s local medical practitioners began to fill out the new death certificates called for under the Civil Registration Act of 1836 and gave causes of death in terms of traditional humouralist theories of health, the central General Register Office (GRO) sent them back asking for causes of death in terms of external disease pathogens and the site of lesions. The GRO subsequently published its tables of causes of death based on classification systems using this newer understanding of disease in the *Annual Reports of the Registrar General.*[50] Similarly, whereas in the early-modern period fitness for public office might be seen in terms of good breeding and physiognomy, the modern period saw the rise of the examination and the interview as the formal means of establishing fitness. Rather than the body, it was the hidden mind and the measurement of innate intelligence that counted.[51] In an interesting reversal, the causes of ill health were externalised, and those of character internalised.

However, we might ask how far this disenchantment of the world, and the acceptance of positivistic state knowledge, actually influenced the populace, or even certain aspects of the knowledge set of the educated elite. For example, some aspects humouralism continued to be accepted by 'ordinary' people in England well into the twentieth century, and those judged as physiognomically 'beautiful' still appear to get better jobs and earn more than the 'homely'.[52] In addition, as a recent BBC survey showed, three out of five British adults believe today that miracles are possible[53], whilst a survey of spirituality in Britain taken in 2013 found that a mere 13 per cent believed 'That humans are purely material beings with no spiritual element', and 39 per cent definitely believed in the existence of the soul. This was not necessarily a question of education since the highest social classes were more likely to believe in the soul than any other group. The same report showed that 25 per cent of people believed in angels, including 24 percent of those in the highest social classes A

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[50] Edward Higgs, 'The linguistic construction of social and medical categories in the work of the English General Register Office', Simon Szreter, Arunachalam Dharmalingam and Hania Sholkamy (eds), *The qualitative dimension of quantitative demography* (Oxford: OUP, 2004), pp. 86-106.

[51] Stephen Jay Gould, *The Mismeasure of Man* (London: W. H. Norton & Co., 1981); Nikolas Rose, *The psychological complex. Psychology, politics and society in England, 1869-1939* (London: Routledge & Kegan Paul, 1985).

[52] Cecil Helman, '"Feed a cold and starve a fever" – folk models of infection in an English suburban community, and their relation to medical treatment', *Medicine and Society,* 1978, 2, pp. 107-37; Vicky Rippere, 'The survival of traditional medicine in lay medical views: an empirical approach to the history of medicine', *Medical History,* 1981, (25), pp. 411-14; Daniel S. Hamermesh, *Beauty Pays: Why Attractive People Are More Successful* (Oxford: Princeton University Press, 2011)

[53] 'Three in five British adults say miracles are possible': BBC Website: https://www.bbc.co.uk/news/uk-45679730 (accessed 02/10/2018).

and B.[54] It is likely that other Western societies, such as the USA, would show still higher levels of such spiritual beliefs. These sorts of results indicate that the 'disenchantment' thesis is rather more complicated than one might imagine.[55]

It could be argued, moreover, that even when scientifically generated state knowledge is accepted and deployed, it can be understood in older 'enchanted' ways. In some respects the underlying strategies of thought that informed 'superstitious' types of popular knowledge could have an important impact on the public reception and use of the positivistic knowledge of official experts and scientists. In this manner the dichotomy between 'enchantment' and 'disenchantment' is elided. An example of this can perhaps be seen in aspects of the official scientific and technological identification of the criminal. Thus, in 2000 the then British Prime Minister Tony Blair announced a massive expansion of the UK's criminal DNA Database, which saw £200 million being spent on it by 2004. He justified this expenditure by claiming that by that date, the Database would include 'the majority of the known active offender population', estimated at 3,500,000 people.[56] With hindsight this was a specious argument because the Database certainly did not include those in the City of London who were carrying our massive fraud at this time. But it was also suspect because Blair did not seem to have understood how the DNA of individuals got into the database. Many people giving DNA samples to the police were perfectly innocent of any crime – some merely gave samples so that the police could eliminate them from their enquiries. Eventually in 2008 the European Court of Human Rights ruled that the holding of DNA samples from persons who were not convicted of a crime was illegal.[57] We might also note here the irrational manner in which juries in both the USA and UK place almost unlimited, and misguided, faith in the abilities of the techniques of DNA profiling to discover 'truth'.[58]

An earlier example of a similarly problematic faith in technological marvels can be seen in the official introduction of photography into the identification of criminals in mid-nineteenth century Europe. In England the police in Birmingham may have started taking photographic portraits of criminals in

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[54] Theos Things Unseen Survey: http://www.comresglobal.com/polls/theos-things-unseen-survey/ (accessed 02/10/2018)

[55] Michael Saler, 'Modernity and Enchantment: A Historiographic Review', *American Historical Review*, June 2006, pp. 692-716; Jane Bennett, *The Enchantment of Modern Life : Attachments, Crossings, and Ethics* (Princeton, N.J. : Princeton University Press. 2001).

[56] Julian Glover, 'DNA Testing', *Guardian,* 1 September, 2000*:* https://www.theguardian.com/world/2000/sep/01/qanda.julianglover (accessed 02/10/2018); Home Office, 'Proposals for Revising Legislative Measures on Fingerprints,Footprints and DNA Samples', 1 August 2000: https://web.archive.org/web/20011109023110/http://www.homeoffice.gov.uk:80/ppd/finger.htm (accessed 02/10/2018).

[57] European Court of Human Rights, S. and Marper v. The United Kingdom - 30562/04 [2008] ECHR 1581 (4 December 2008) http://www.bailii.org/eu/cases/ECHR/2008/1581.html

[58] Michael Lynch, Simon A. Cole, Ruth Mcnally and Kathleen Jordan, *Truth Machine: The Contentious History of DNA* (London: University of Chicago Press, 2008). My own attendance at conferences organised by the British Home Office leads me to believe that similar, and unjustified, faith is being placed in the powers of biometrics, although central criminal and security agencies seem far more cautious.

1850,[59] and photography in prison registers spread rapidly thereafter.[60] Under the 1871 Prevention of Crimes Act, photographs of convicts were also sent by prison governors to the Habitual Criminals Registry in London, which held 34,000 portraits by 1888.[61] However, such aids to identification were not frequently used by the police. This was because the information they contained could not be easily retrieved. In practice, one needed a name to use the photographic archives properly, which somewhat undermined their use as a means of identification. The problems of using registries of this type meant that many policemen preferred to rely on personally recognising criminals they had seen before, rather than on this new form of forensic science.[62]

Similarly, the French had been collecting pen portraits of criminals since 1819 in the 'redaction du bureau des prisons'[63], and photography had been used in sections of the Paris Prefecture from at least 1872, with suspects photographed unsystematically from various angles and with various degrees of expertise. The photographs were once more catalogued by name alone, and so could not be used when the criminal unsportingly gave a false name. This was noticed by a young clerk in the Prefecture, Alphonse Bertillon, when he was filing out the forms on which the photographs were attached for retrieval.[64] However, he claimed that he noticed from the photographs that the bodily measurements of no two individuals were exactly alike. Bertillon went on to design a complex system of bodily measurement to be obtained from criminals, which could then be used to index the vast collection of forensic photographs in Paris for retrieval.[65] The Metropolitan Police in London adopted this system of 'Bertillonage' for indexing its own photographs in the 1890s but replaced it with fingerprinting at the beginning of the twentieth century.[66]

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[59] Neil Davie, *Tracing the Criminal: the Rise of Scientific Criminology in Britain 1860-1918* (Oxford: The Bardwell Press, 2005), p.92.

[60] David T. Hawkings, *Criminal Ancestors: a Guide to Historical Criminal Records in England and Wales* (Stroud: The History Press, 2009), pp. 250-60.

[61] National Archives, London: HO 45/9320/16629C, Prisons and Prisoners: (4) Other: Prevention of Crimes Act, 1871. Regulations for photographing prisoners; Report … into … identifying habitual criminals, pp. 12-19.

[62] Higgs, *Identifying the English,* p. 127.

[63] Becker, Peter, 'The standardized gaze: the standardization of the search warrant in nineteenth-century Germany', in Jane Caplan and John Torpey (eds), *Documenting Individual Identity: the Development of State Practices in the Modern World* (Oxford: Princeton University Press, 2001), p. 155.

[64] Kaluszynski, Martine, ' Republican identity: Bertillonage as government technique', in Jane Caplan and John Torpey (eds), *Documenting individual identity. The development of state practices in the modern* world (Princeton: Princeton University Press, 2001), pp. 124; Alphonse Bertillon, *Identification Anthropometrique: Instructions Signaletiques* (Melun: Imprimerie Administrative, 1893), p. xiv.

[65] Martine Kaluszynski, 'Alphonse Bertillon et l'anthropometrie judiciare. L'identification au coeur de l'prder republicain', in Pierre Piazzi (ed.), *Aux origins de la police scientifique: Alphonse Bertillon, precurseur de la science du crime* (Paris: 2011, Karthala), pp. 31-48.

[66] Higgs, *Identifying the English,* p. 131-5.

This story has been examined by a number of scholars[67] but rather less attention has been given to why both the French and British police collected photographs for decades when they were comparatively little used for practical policing. We might possibly think here in terms of the talismanic appeal of photography in associating policing with modernity and scientific progress, or perhaps just bureaucratic inertia once systems of forensic photography had been established. However, we might also understand the history of this early forensic photography in terms of the continued role of 'practical magic' in the modern age. Photographs are not just objects since as the anthropologist Alfred Gell argued:

> We suffer, as patients, from forms of agency mediated via images of ourselves, because, as social persons, we are present, not just in our singular bodies, but in everything in our surroundings, which bears witness to our existence, our attributes and our agency.'[68]

In broader terms he argued that human beings are always projecting a form of 'distributed personhood' into works of art, or of worship, which gave them such agency.[69] How else can art 'touch' us, or the 'primitive' fetish benefit or harm its followers?[70] 'Capturing' the images of criminals, could thus be seen as a way of capturing the criminals themselves in a form of effluvia magic, the ability to control those whose bodily fluids or ejecta one possesses, for as a correspondent in the *Huddersfield Daily Chronicle* put it in 1873:

> Prisoners in our gaols cannot complain that we display any lack of sentiment for them when they remember that, besides cutting off locks of their hair, we now take their photographs and most carefully treasure these little mementoes of our erring brethren.[71]

Tony Blair in the twenty-first century also seems to have been as much concerned with the capture of evil (the 'active offender population') via effluvia magic as with its identification. In this case, the

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[67] For example, Simon A. Cole, *Suspect Identities. A History of Fingerprinting and Criminal Identification* (London: Harvard University Press, 2001); Colin Beavan , *Fingerprints: Murder and the Race to Uncover the Science of Identi*ty (London: Fourth Estate, 2002); Chandak Sengoopta, *Imprint of the Raj. How Fingerprinting was Born in Colonial India* (London: Macmillan, 2003). Edward Higgs , 'Fingerprints and citizenship: the British State and the identification of pensioners in the inter-war period', *History Workshop Journal* 69 (2010), pp. 52-67; Pierre Piazzi (ed.), *Aux origins de la police scientifique, passim;* Mercedes Garcia Ferrari, *Marcas de Identidad: Juan Vucetich y el Surgimeinto Transnaccional de la Dactiloscopia (188-1913)* (Rosarios: Prohistoria ediciones, 2015).

[68] Alfred Gell, *Art and Agency: and Anthropological Theory* (Oxford: Clarendon Press, 1998), p. 129-30.

[69] Ibid., *passim.*

[70] Some people even have erotic attachment to machines – mechaphilia: 'Man admits having sex with 1,000 cars', *Daily Telegraph* wbsite: https://www.telegraph.co.uk/news/newstopics/howaboutthat/2000899/Man-admits-having-sex-with-1000-cars.html (accessed 01/11/2018)

[71] 'Our Criminals', *Huddersfield Daily Chronicle* [West Yorkshire, England], 15 August 1873, p.4.

proposition that belief in such forms of magic still exists is given greater credence by the finding that many people, at least in the USA, believe that DNA is in fact alive.[72]

The projection and capture of the personality of individuals in objects is, of course, a widely understood part of the early-modern mentality, from the presence of Jesus Christ in the Eucharist[73] to the urine, nail clippings and hair that people placed in bottles to deter witches.[74] This also helps to explain the presence of shoes and other personal items found in the chimneys of early-modern houses across the Western world.[75] In pre-modern Europe it was believed that witches, their familiars, or other evil forces such as fairies, imps and goblins, could easily infiltrate houses from outside, gaining access through windows, and cracks in doorways and walls. With such evil forces acting like Wi-Fi how was one to protect the home, and especially the chimney and hearth, both its centre of the home and weakest point? The answer was to place simulacra of the body and its human presence, such as shoes, in the chimney to act as decoys and so draw the evil away.[76] Photographs, as Walter Benjamin argued, can also be seen as giving off an 'aura' of the person represented.[77]

We might extend this discussion of the enchantment of official scientific explanation in a number of ways. For example, it is increasingly becoming clear that the placebo effect of medicines is a real phenomenon, which depends on the faith of patients in their curative powers, above and beyond their actual physiological effects.[78] This has been portrayed as an ethical problem for official public medicine in the British National Health Service but we might also see this in terms of the use of

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[72] Stephen B. Witzig & Sharyn K. Freyermuth, Marcelle A. Siegel and Kemal Izci & J. Chris Pires, 'Is DNA Alive? A Study of Conceptual Change Through Targeted Instruction', *Research in Science Education*, 43 (2013), pp. 1361-75

[73] Brigitte Miriam Bedos-Rezak, *When Ego was Imago: Signs of Identity in the Middle Ages*, Brill, Leiden, 2010.

[74] Brian Hoggard, "The archaeology of counter-witchcraft and popular magic", in Owen Davies, William De Blécourt (eds.), *Beyond the Witchtrials: Witchcraft and Magic in Enlightenment Europe* (Manchester: Manchester University Press,2004).

[75] June Swann, 'Shoes concealed in buildings', in Ronald Hutton (ed.), *Physical Evidence for Ritual Acts, Sorcery and Witchcraft in Christian Britain: a Feeling for Magic* (Basingstoke, Palgrave Macmillan, 2016), pp. 118-30.

[76] Ronald Hutton (ed.*), Physical Evidence for Ritual Acts, Sorcery and Witchcraft in Christian Britain* (Basingstoke: Palgrave Macmillan, 2015); Ceri Houlbrook, 'The Concealed Revealed: the 'Afterlives' of Hidden Objects in the Home', *History Workshop Journal*, Volume 85, 1 April 2018, pp. 195–216. For an example of such practical magic in my own medieval house see, Edward Higgs, 'Practical magic in a Suffolk village', The Recipes Project: https://recipes.hypotheses.org/9190 (accessed 06/10/2018).

[77] Walter Benjamin, 'A short history of photography' : https://monoskop.org/images/7/79/Benjamin_Walter_1931_1972_A_Short_History_of_Photography.pdf (accessed 06/10/2018).

[78] Amir Raz and Cory S. Harris (eds), *Placebo Talks: Modern Perspectives on Placebos in Society* (Oxford: Oxford University Press, 2016); Jeremy Howick , Felicity L. Bishop, Carl Heneghan, Jane Wolstenholme, Sarah Stevens, F. D. Richard Hobbs, George Lewith, 'Placebo Use in the United Kingdom: Results from a National Survey of Primary Care Practitioners', *PLOS One,* March 20, 2013 https://doi.org/10.1371/journal.pone.0058247 (accessed 23/10/2018).

counter spells in order to deal with malign forces just as early modern people used talismans or witch bottles.[79] Similarly, perhaps we might also link the theory of climate change caused by sun spots to the ancient astrological belief in the influence of celestial bodies such as the Sun on human affairs!

Conclusions

In this paper I have in fact done three things: traced the relationship between local information and state activity; shown how the local state was superseded by a central information state, and how this changed the status of knowledge; and finally suggested that the new positivistic knowledge was partially undermined by older, 'enchanted', understandings of cause and effect. I think that I am on sounder ground with the first two parts of my analysis, and the third part is somewhat more speculative. However, given that we now live in a world in which populist attacks on positivistic knowledge are growing, it is perhaps important to revisit the realm of practical magic once more. After all, as one author has noted, perhaps fancifully, 'New Thought', in which willing something can make it happen, has influenced the 45th President of the United States of America.[80]

However, there are certain issues about the account above that I still struggle with, and which require further consideration. As perhaps befits the outlook of an ex-archivist, this paper has often been concerned with the translation of oral knowledge into written documents. Was this the only way in which the State acquired information, and was there a trend from the oral to the written, as Michael Clanchy argued for charters and writs in the medieval period?[81] Is this an inevitable sign of progress, or part of a centuries old strategy of power, as James C. Scott argues?[82] Also, this raises once again the issue of what we mean by the 'public' which supplied information to the new positivistic State, and received back State knowledge in the form of published parliamentary reports and expert commentary. Until the twentieth century it was really the landed and middle classes that provided information to the State, and which imbibed the information that came back.[83] Others

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[79] Malcolm Gaskill, 'The fear and loathing of witches', in Sophie Page, Marina Wallace, Owen Davies, Malcolm Gaskill, Ceri Houlbrook, *Spellbound: Magic, Ritual and Witchcraft* (Oxford: Ashmolean Museum, 2018), pp. 130-7. Gaskill's contribution to this volume includes a photograph of a modern witch bottle in the form of a medicine bottle found in the Thames in the 1980s, containing human teeth, coins, a fragment of metal and a phial containing oil of cloves: *Ibid.,* p. 131.

[80] Gary Lachman, *Dark Star Rising: Magick and Power in the Age of Trump* (New York: Penguin Ransom House, 2018)

[81] M.T. Clanchy, *From Memory to Written Record: England 1066-1307* (London : Edward Arnold , 1979)

[82] James C. Scott, *Against the Grain: a Deep History of the Earliest States* (London: Yale University Press, 2017).

[83] Even the individual household schedules of the nineteenth century censuses had to be vetted and digested into enumeration books by mostly middle-class enumerators. It was only in 1911 that the census authorities worked directly from the household schedules: Edward Higgs, Christine Jones, Kevin Schürer and Amanda Wilkinson *Integrated Census Microdata (I-Cem) Guide*: https://www1.essex.ac.uk/history/research/icem/documents/icem-guide-version-2-2015.pdf, pp. 16-21. (accessed 01/11/2018).

received information bowlderised, and reworked, by the popular media, if at all. Does this explain why it has been so easy for populist politicians to reject it, or present it as part of an 'agenda'.[84]

Secondly, we might ask if there is a difference between 'knowledge' and 'information', or to repeat T. S. Eliot's oft quoted lines:

> Where is the wisdom we have lost in knowledge?
> Where is the knowledge we have lost in information?[85]

There have been endless discussions as to what Eliot meant by this but in the context of the present paper we might ask whether what people understood locally in day to day discourse was understood in the same manner when such knowledge became information for the central state? On a frivolous level I might point, for example, to the misunderstandings in the meaning of the term 'relationship to head of household' in the English censuses of the mid-nineteenth century. The census authorities plainly meant it to refer to kinship terms, or the relationships of boarder, lodger, servant, or visitor. But in 1861 one farm labourer living in a shed at the bottom of a farmer's garden merely described his relationship to the head of the family in the manuscript census as 'friendly'.[86] Moreover, what broader shifts in understanding might have occurred? Thus, what may have appeared as local customary forms of communal negotiation, such as food riots, might appear very different when reported to central authorities at times of crisis.[87]

Lastly, is an anthropological approach to magical thinking in the modern world an appropriate one when discussing state information capture and dissemination? Is the appeal to 'basic' human strategies to cope with complex modern problems really permissible?[88] One could argue that what is important in our vast modern societies is to exclude a consideration of much of its complexity as possible, rather than projecting personhood into our interactions.[89] Can one really describe President Donald Trump and Prime Minister Tony Blair as 'cunning folk'?[90]

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[84] 'Trump: Climate change scientists have 'political agenda'', BBC website: https://www.bbc.co.uk/news/world-us-canada-45859325 (accessed 01/11/2018)

[85] T. S. Eliot, *The Rock* (New York: Harcourt, Brace and Company, p. 7.

[86] National Archives, London: 1861 Census: RG 9/1783: f. 35, p. 22).

[87] John Bohstedt, *The Politics of Provisions: Food Riots, Moral Economy, and Market Transition in England, c. 1550–1850* (Farnham: Ashgate, 2010).

[88] On a personal note, once more, does my use of such anthropological concepts as practical magic reflect my becoming a student of Sir Keith Thomas a year after the publication of his *Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth- and Seventeenth-Century England* (London: Weidenfeld and Nicolson, 1971)?

[89] Niklas Luhmann, *Social Systems* (Stanford, Calif.: Stanford University Press, 1995).

[90] Owen Davies, *Popular Magic: Cunning-folk in English History* (London: Hambledon Continuum, 2007).