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More on kibosh: ca. 1830 "Penal Servitude!" broadside denounced the callousness (not merely ineffectiveness) of the reform activity of the early 1830's

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MORE ON *KIBOSH*: CA. 1830 *PENAL SERVITUDE!* BROADSIDE
DENOUNCED THE CALLOUSNESS (NOT MERELY INEFFECT-
IVENESS) OF THE REFORM ACTIVITY OF THE EARLY 1830'S

Gerald Cohen

Stephen Goranson deserves the lion's share of credit for clarifying the origin of *kibosh* (in 'put the kibosh on'), and Matthew Little deserves credit for interpreting the anonymous ca. 1830 broadside *Penal Servitude!*. He showed it to be a heavily sarcastic polemic against the Poor Law reform activity of the early 1830's, i.e., the changes proposed by the 1832 Royal Commission into the Operation of the Poor Laws and codified in the 1834 Poor Law Amendment Act (PLAA).

I now have a footnote to add to the discussion: With more reading on the subject I've been taken aback by the sheer callousness of the Poor Law Amendment Act. The workhouses were de facto prisons ('Poor Law Bastilles'), families were split up to live and work in separate areas (men, women, boys, girls), the food allotted was insufficient, aid was reduced to women with children born out of wedlock, and the entire thrust of the effort was not to improve the lot of the poor but to reduce spending on them. This would be accomplished by requiring the poor to receive aid by living and working in the workhouses under such severe conditions that only the most destitute of the poor would apply.

Penal Servitude! was a protest against this harshness, and 'kibosh', mentioned in the poem, came along for the ride, leading to slang 'put the kibosh on.' Contributions to the lexicon come in many forms; in this case, the callousness of the 1834 reforms played an important role, stimulating the writing of *Penal Servitude!* and inadvertently setting the stage for 'kibosh' to enter the English lexicon in 'put the kibosh on.' The callousness of the so-called reforms made the broadside more popular among the poor than broadsides on other topics, and this popularity was key to the spread of 'put the kibosh on.'

A FEW RELEVANT QUOTES FROM *PENAL SERVITUDE!*

Bearing in mind the harsh conditions imposed by the PLAA, perhaps the author of the broadside was not totally unreasonable in preferring penal servitude in Australia: at least there one got three good meals a day:

Where they feed you, and they clothe you,
Better than a working man or soldier.

And the harshness of the so-called reforms guaranteed the continued flourishing of criminal activity:

Here's to be a deal of reformation,
About reform you've often heard a fuss.
And while you keep your paupers in starvation.
You're sure to be surrounded with coves like us.

'Coves [guys] like us' – i.e., members of the criminal class. The implication here is that stealing by 'coves like us' was motivated by the need to survive. Then, almost as an afterthought, the poet thinks of one law-enforcement stratagem that would effectively end illegal activity in the prison:

There is one little dodge I am thinking,
That would put your profession all to smash,
It would put on the kibosh like winking,
That is if they was to introduce the lash.

But kibosh (lash) or no kibosh, from the viewpoint of paupers life in Australian penal servitude is far better than life in England:

But still I can't help laughing,
When I see your paupers look so pale;
There's thousands in the workhouse starving,
While we live like lords in the jail.

And in direct reference to the union (amalgamation of workhouses, implemented in the 1834 Poor Law Amendment Act):

Give me penal servitude before the Union.

DETAILS PERTAINING TO THE ABOVE SUMMARY

TERM: 'POOR RATE'

By way of background, the term 'poor rate' turns up in the discussion of aid to the poor, summarized briefly on the internet:

'In England and Wales the poor rate was a tax on property levied in each parish, which was used to provide poor relief. It was collected under both the Old Poor Law and the New Poor Law. It was absorbed into "general rate" local taxation in the 1920s, and has continuity with the currently existing Council Tax.'

ROYAL COMMISSION INTO THE OPERATION OF THE POOR LAWS, 1832

From the internet:

'The 1832 Royal Commission into the Operation of the Poor Laws was a group set up to decide how to change the Poor Law systems in England and Wales. The group included Nassau Senior, a professor from Oxford University who was against the allowance system, and Edwin Chadwick, who was a Benthamite. The recommendations of the Royal Commission's report were implemented in the Poor Law Amendment Act 1834.'

EXCERPTS FROM THE INTERNET ON THE 1834 POOR LAW AMENDMENT ACT

The excerpts below (capitalized italics are mine) are from the following internet item:

https://en.wikipedia.org/wiki/Poor_Law_Amendment_Act_1834

1. ‘Poor Law Amendment Act 1834 (PLAA) [widely known as the New Poor Law] is passed. The Act was intended to curb the cost of poor relief and address abuses of the old system, prevalent in southern agricultural counties, by enabling a new system to be brought in under which *RELIEF WOULD ONLY BE GIVEN IN WORKHOUSES, AND CONDITIONS IN WORKHOUSES WOULD BE SUCH AS TO DETER ANY BUT THE TRULY DESTITUTE FROM APPLYING FOR RELIEF*. The Act was passed by large majorities in Parliament, with only a few Radicals (such as William Cobbett) voting against. ...’

2. ‘The Commission’s recommendations were based on two principles. The first was less eligibility: *CONDITIONS WITHIN WORKHOUSES SHOULD BE MADE WORSE THAN THE WORST CONDITIONS OUTSIDE OF THEM SO THAT WORKHOUSES SERVED AS A DETERRENT, AND ONLY THE NEEDIEST WOULD CONSIDER ENTERING THEM*. The other was the “workhouse test”: relief should only be available in the workhouse. Migration of rural poor to the city to find work was a problem for urban ratepayers under this system, since it raised their poor rates. The Commission’s report recommended sweeping changes...’

3. ‘The **Poor Law Amendment Act 1834 (PLAA)** known widely as the **New Poor Law**, was an Act of the Parliament of the United Kingdom passed by the Whig government of Earl Grey. It completely replaced earlier legislation based on the Poor Law of 1601 and attempted to fundamentally change the poverty relief system in England and Wales (similar changes were made to the poor law for Scotland in 1845). It resulted from the 1832 Royal Commission into the Operation of the Poor Laws, ... The Act was passed two years after the 1832 Reform Act extended the franchise to middle class men. Some historians have argued that this was a major factor in the PLAA being passed.’

4. ‘The Act has been described as “the classic example of the fundamental Whig-Benthamite reforming legislation of the period”. Its

theoretical basis was Thomas Malthus's principle that population increased faster than resources unless checked, the “iron law of wages” and Jeremy Bentham’s doctrine that people did what was pleasant and would tend to claim relief rather than working.’

5. ‘Different classes of paupers should be segregated; to this end, parishes should pool together in *UNIONS*, with each of their poorhouses dedicated to a single class of paupers and serving the whole of the *UNION*. “[T]HE SEPARATION OF MAN AND WIFE WAS NECESSARY, IN ORDER TO ENSURE THE PROPER REGULATION OF WORKHOUSES.”

‘In practice, most existing workhouses were ill-suited to the new system (characterised by opponents as locking up the poor in “Poor Law Bastilles”), and *MANY POOR LAW UNIONS SOON FOUND THAT THEY NEEDED A NEW PURPOSE-BUILT UNION WORKHOUSE. THEIR PURPOSE BEING TO SECURELY CONFINE LARGE NUMBERS OF THE LOWER CLASSES AT LOW COST, THEY NOT UNNATURALLY LOOKED MUCH LIKE PRISONS.*

‘The new system would be undermined if different unions treated their paupers differently; there should therefore be a central board with powers to specify standards and to enforce those standards;...

[For diagram see next page.]



A "Poor Law Bastille": 1835 model design of a workhouse to hold 300 paupers...



[G. Cohen: The tiny print in the four large rectangles says]:

(top left): WOMEN'S YARD

(bottom left): GIRLS YARD

(top right): MENS YARD

(bottom right); BOY'S YARD]

6. *'MOTHERS OF ILLEGITIMATE CHILDREN SHOULD RECEIVE MUCH LESS SUPPORT*; poor-law authorities should no longer attempt to identify the fathers of illegitimate children and recover the costs of child support from them.

'It was argued that penalising fathers of illegitimate children reinforced pressures for the parents of children conceived out of wedlock to marry, and generous payments for illegitimate children indemnified the mother against failure to marry. "The effect has been to

promote bastardy; to make want of chastity on the woman's part the shortest road to obtaining either a husband or a competent maintenance; and to encourage extortion and perjury”.’

‘In the North of England particularly, there was fierce resistance; the local people considered that the existing system there was running smoothly. They argued that the nature of cyclical unemployment meant that any new workhouse built would be empty for most of the year and thus a waste of money. However, the unlikely union between property owners and paupers did not last, and opposition, though fierce, eventually petered out. In some cases, this was further accelerated as the protests very successfully undermined parts of the Amendment Act and [those parts] became obsolete.’

7. EXCERPT FROM PAT THANE'S 1978 ARTICLE 'WOMEN AND THE POOR LAW IN VICTORIAN AND EDWARDIAN ENGLAND'

‘The legislation of 1834 was the work of political economist Nassau Senior, the bureaucratic reformer Edwin Chadwick, and the experienced administrator of a rigorous Poor Law regime in a Suffolk workhouse, George Nicholls. These policy-makers recognized the existence of a category of “non able-bodied”, “deserving” poor which included the sick, the aged, children and the mad. This group, they believed could not be expected to support themselves by work and could not be described as work-shy dependents upon the public purse. These, the Law of 1834 allowed, could be granted outdoor relief, a weekly dole upon which they could support themselves, or be supported, in their own homes; or if they needed institutional care, they could be cared for in the workhouse, but under a separate, more relaxed regime than was allowed to the “able-bodied”.

‘However, these policy-makers of 1834 identified the unemployed male “able-bodied” worker as the central problem of poverty at that time. They assumed that much unemployment was voluntary and could be substantially reduced in an expanding economy by encouraging men to find work. They took for granted the universality of the stable two-parent family, primarily dependent upon the father's wage, and the

primacy of the family as a source of welfare. Hence the poverty of women and children was thought to be remediable by the increased earnings of husbands and fathers. THESE WERE ASSUMPTIONS QUITE INCOMPATIBLE WITH THE REALITIES OF THE 1830s, OF INDUSTRIAL LOW PAY AND RECURRENT UNEMPLOYMENT, AND EARLY OR SUDDEN DEATH. MANY DESERTED OR ABANDONED WOMEN WERE LEFT TO SUPPORT CHILDREN OR OTHER DEPENDENTS ON LESS THAN SUBSISTENCE WAGES.’

8. OPPOSITION TO THE POOR LAW ACT:

https://en.wikipedia.org/wiki/Poor_Law_Amendment_Act_1834

‘FIERCE HOSTILITY AND ORGANISED OPPOSITION FROM WORKERS, POLITICIANS AND RELIGIOUS LEADERS EVENTUALLY LED TO THE AMENDMENT ACT BEING AMENDED, REMOVING THE VERY HARSH MEASURES OF THE WORKHOUSES TO A CERTAIN DEGREE. The Andover workhouse scandal, in which conditions in the Andover Union Workhouse were found to be inhumane and dangerous, prompted investigation by a Commons select committee, whose report commented scathingly on the dysfunctionality of the Poor Law Commission. As a consequence Government legislation replaced the Poor Law Commission with a Poor Law Board under much closer government supervision and parliamentary scrutiny.

‘CHARLES DICKENS’ NOVEL OLIVER TWIST HARSHLY CRITICISES THE POOR LAW. IN 1835 SAMPLE DIETARY TABLES WERE ISSUED BY THE POOR LAW COMMISSIONERS FOR USE IN UNION WORKHOUSES. DICKENS DETAILS THE MEAGRE DIET OF OLIVER’S WORKHOUSE AND POINTS IT UP IN THE FAMOUS SCENE OF THE BOY ASKING FOR MORE. DICKENS ALSO COMMENTS SARCASTICALLY ON THE NOTORIOUS MEASURE WHICH CONSISTED IN SEPARATING MARRIED COUPLES ON ADMISSION TO THE WORKHOUSE: “INSTEAD OF COMPELLING A MAN TO SUPPORT HIS FAMILY [THEY] TOOK HIS FAMILY FROM HIM, AND MADE HIM A

BACHELOR!” LIKE THE OTHER CHILDREN, OLIVER WAS “DENIED THE BENEFIT OF EXERCISE” AND COMPELLED TO CARRY OUT THE MEANINGLESS TASK OF UNTWISTING AND PICKING OLD ROPES ALTHOUGH HE HAD BEEN ASSURED THAT HE WOULD BE “EDUCATED AND TAUGHT A USEFUL TRADE.”

* * *

FOR EASY REFERENCE: THE UNDATED *PENAL SERVITUDE!* BROADSIDE WHICH CONTAINS ‘PUT ON THE KIBOSH’ [SIC]

PENAL SERVITUDE!

I have just arrived from Australia,
Where I have been for change of air;
And, chaps, I have just come to tell you,
That there is a lot of jolly living over there.

CHORUS.

Where they feed you, and they clothe you,
Better than a working man or soldier--
Penal servitude is the sort of life for me;
Then we do a bit of work just a portion of the day,
And then we go to church upon a Sunday, O.
Man O, my yar, yar, yar, yar!
Give me penal servitude before the Union.

Four years ago at the Old Bailey,
The Jury found me guilty, I believe;
For ten years across the sea they sent me,
But I soon gets the ticket of leave.

As on my little game you’ve put a stopper,
For a time they’ve collar’d all in vain,

If I cannot earn an honest copper,
I'm in for penal servitude again.

Here's to be a deal of reformation,
About reform you've often heard a fuss.
And while you keep your paupers in starvation.
You're sure to be surrounded with coves like us.

The Bobbies are sometimes very useful,
He can be either absent, deaf, or blind;
And if you're collared by the handful,
A comfortable home you're sure to find.

There is one little dodge I am thinking,
That would put your profession all to smash,
It would put on the kibosh like winking,
That is if they was to introduce the lash.

But still I can't help laughing,
When I see your paupers look so pale;
There's thousands in the workhouse starving,
While we live like lords in the jail.

It was cracking of a crib that they nailed me,
The swag was worth a thousand to me;
From business I thought of retiring, when they collared
me,
And sent me across the sea.

If when home you are returning,
If a Bobby sees you he is on your track,
He prevents you getting an honest living,
So to your old trade you must go back.

SELECTED REFERENCES

- Adams, Michael 2020. Review of three books, one of which is *Origin of Kibosh* by Gerald Cohen, Stephen Goranson, and Matthew Little. (New York: Routledge), officially dated as 2018, but appeared already in late 2017. *Dictionaries* (Journal of the Dictionary Society of North America) vol. 41, #2, pp. 289-298. See especially pp. 291-294 for review of *Origin of Kibosh*.
- Blaug, Mark 1963. The Myth of the Old Poor Law and the Making of The New. *Journal of Economic History* 23, pp. 151–84.
- Boyer, George R. 2006. *An Economic History of the English Poor Law, 1750-1850*. Cambridge U. Pr.
- Brundage, Anthony 1978. *The Making of the New Poor Law: The Politics of Inquiry, Enactment, and Implementation, 1832-1839*.
- Cohen, Gerald 2021. News item: recent review of *Origin Of Kibosh*. *Comments on Etymology*, vol. 50, #5, Feb. 2021, pp. 4-8.
- Cohen, Gerald, Stephen Goranson, and Matthew Little 2017. *Origin of 'Kibosh': Routledge Studies in Etymology*. (London and New York: Routledge; Taylor & Francis). ISBN 9781138628953. The book gives 2018 as the date of publication, but it was in fact available already by mid-October 2017. And for a review of the book, see Adams 2020 above.
-
- _____ 2018a. Update on research into *put the kibosh on*. *Comments on Etymology*, vol. 47, #5-6 (Feb./March 2018), pp. 10-30.
-
- _____ 2018b. Compiled evidence that *kibosh* originally referred to a whip. *Comments on Etymology*, vol. 47, #8 (May 2018), pp. 3-6.
-
- _____ 2018c. Update #2 on research into *put the kibosh on*. *Comments on Etymology*, vol. 48, no. 1 (Oct. 2018), 23 pages.
-
- _____ 2019. Update #3 on research into *put the kibosh on*. *Comments on Etymology*, vol. 48, no. 4-5 (Jan./Feb. 2019), pp. 17-33.
-
- _____ 2019, *Kibosh* update, #4 (compilation). *Comments on Etymology*, vol. 48, #8 (May 2019), 50 pages.

2020a. Revisit to *kibosh* – rejecting the Irish ‘cap of death’ etymology. *Comments on Etymology*, vol. 49, #5 (Feb. 2020), pp. 2-13.

2020b. Revisit to *kibosh* – *OED3*’s tentative consideration of a Yiddish origin for ‘kibosh’ in ‘put the kibosh on’ should be definitively set aside. *Comments on Etymology*, vol. 49, #6, (March 2020), pp. 2-13.

Dickens, Charles 1966. *Oliver Twist*. London: Penguin Books. pp. 54ff.

Dodson, Stephen 2018. -- He edits the blog languagehat.com, which for several years contained items on *kibosh*. The latest one, June 15, 2018, says:

‘Yes, while I think everyone’s first reaction to the *kibosh* = whip idea is that it feels implausible, the evidence presented in the book is quite compelling.’

And:

‘I wish there could be such a volume for every word with an interesting etymology.’

Durbach, Najda 2013. Roast Beef, the New Poor Law, and the British Nation, 1834–1863. *Journal of British Studies* 52.4, pp. 963–89.

Englander, David 2014. *Poverty and Poor Law Reform in Nineteenth-Century Britain, 1834–1914: From Chadwick to Booth*. Routledge.

Finer, Samuel Edward 1952. *The Life and Times of Sir Edwin Chadwick*. languagehat.com – See above: Dodson, Stephen.

Lees, Lynn Hollen 1998. *The Solidarities of Strangers: The English Poor Laws and the People, 1700–1948* (Cambridge U. Pr.)

Liberman, Anatoly 2017. Etymology Gleanings For November 2017. (online). Two favorable comments here are:

1. ‘...I believe that monographs like *Origin of Kibosh* are of great value. Specialists know that similar books, those on *ginger*, *shyster*, and *hot dog* among them, exist. Now *kibosh* has joined that venerable series.’
2. ‘...Read *Origin of Kibosh*, and you will indeed be instructed and amused.’

2018. Etymology Gleanings For October 2018. (online). --- Includes this sentence: ‘The three authors [Cohen,

Goranson, Little] provided enough material to make it probable that *kibosh* goes back to *kurbash* “lash”.’ -----This happens to be the main point that Goranson, Little, and I have been arguing all along. Liberman seems to be agreeing with us! It is not a full-throated endorsement (‘probable’ still leave wiggle room), but it does seem significant.

Little, Matthew 2019. Solving A Long-Standing Etymological Mystery: Origin Of ‘Put The Kibosh On.’ Paper presented at the 22nd Biennial Conference of the Dictionary Society of North America, May 8-11, 2019, Bloomington, Indiana. ---- For Little’s other ‘kibosh’ work, see his co-authored entries above (Gerald Cohen, Stephen Goranson, and Matthew Little).

Mackay, Thomas 1904. *A History of the English Poor Law....*
Westminster: P. S. King and Son, 1904. Vol. 3.

Metcalf, Allan 2018. From criminal slang to modern acceptability.
Lingua Franca (under aegis of the Chronicle of Higher Education),
Sept. 27, 2018.

<https://www.chronicle.com/blogs/linguafranca/2018/09/27/from-criminal-slang-to-modern-acceptability-kibosh/>

Rose, Michael E. ed. 1971. *The English Poor Law, 1780–1930*. Newton Abbot: David & Charles, 1971.

Scrope, Mr. Paulett 1834. Speech of Mr Paulett Scrope (c1321)
In ‘Poor-Laws Amendment—Committee’. *Hansard House of Commons Debates*. 23: cc1320-49. 26 May 1834.

Senior, Nassau and Edwin Chadwick 1834. *Poor Law Commissioners’ Report of 1834*. London: H.M. Stationery Office.

Thane, Pat. 1978. Women and the Poor Law in Victorian and Edwardian England, *History Workshop Journal* 6#1, pp 29–51,
<https://doi.org/10.1093/hwj/6.1.29>

Wikipedia: https://en.wikipedia.org/wiki/Poor_Law_Amendment_Act_1834

Wikipedia: https://thereaderwiki.com/en/Poor_Law_Amendment_Act_1834

Zimmer, Ben 2017. Word On The Street: Putting The Kibosh On An Old Riddle. (subtitle): Clues from an 1830 poem point to a long whip. [G. Cohen: Make that ‘approximately 1830’ the poem is undated, but internal evidence points to the approximate date.] *Wall Street Journal*, Saturday/Sunday, Dec. 30-31, 2017, p. C4, right-hand column.