

# Will Work for Food

## *Legend and Poverty Legislation in Nineteenth Century Denmark*<sup>1</sup>

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### ABSTRACT

*I examine the social and economic position of the beggar/wandering indigent in late nineteenth century Denmark (post constitution), and I explore reasons for the ubiquity of these stories in the repertoires of Jutlandic storytellers. These stories point to an ongoing negotiation among tradition participants of their views concerning the social status of the poor. Interestingly, not all beggars are created equal in these stories, and the legends often point to an elaborate folk taxonomy of the different "classes" of wandering indigents. KEYWORDS: legend, Denmark, economics, legislation, poverty*

*Kristoffer Jennøww havde en Kammerat der hed Pjalt-Johan og h. boede i et Sted imellem Nielstrup og Hallendrup. Hans Kone kaldtes Kat-Ma-Elgaards. Ha gik omkring og samlede Messing tøj og Kobbertøj og Katte og Katteskind. De tog selv Kattene af. S. havde h. den Tanke, der boede en Mand ved Siden af ham, at h. gik hen og laante en Mark hver Mandag Morgen inden h. gik ud og handlede. Det var netop min Fader h. laante dem af og s. kom h. igien med den hver Søndag Morgen.*

[Kristoffer Jennøww had a friend who was called Pjalt Johan, and he lived somewhere between Nielstrup and Hallendrup. His wife was called Kat-Ma-Elgård's. He went about and collected brass and copper and cats and cat skins. They killed the cats themselves. He had this belief, there was a man who lived next to him, and he came and borrowed a mark from him every Monday morning, before he went out to trade. It was my

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father he borrowed the mark from, and he brought it back again every Sunday morning.]<sup>2</sup>

Kirsten Marie Pedersdatter's story of rural poverty touches on only one aspect of a remarkably complex phenomenon.<sup>3</sup> In her story, she celebrates individual initiative—even if it involves work that had been reserved for *rakhere* and *natmandsfolk*, the untouchables of rural society—and local charity (Hansen 1952: 39-40; Gaardboe 1968). As such, her story endorses an ideological stance that informed one side of the protracted debates concerning poverty assistance that were a mainstay of Danish political life up through the nineteenth century (Jørgensen 1940).

By the middle of the nineteenth century, the challenges of rural poverty were closely linked to the demographic pressures associated with rapid urbanization, the economic pressures that followed from fundamental changes in the organization of agricultural production, and the political pressures related to broadening approaches toward governance and taxation. Legislative strategies for how to combat poverty and provide assistance to those in need broke along newly forming party lines (Jørgensen 1940).<sup>4</sup> Records of debate—from local parish boards up through parliament—along with legislative proposals provide insight into how decision makers viewed the problem, and how they developed solutions. These solutions often grew out of existing practice and were tempered by public opinion from all parts of the country. On the local level, storytelling played an important role in developing that public opinion, and also offered individuals a forum to comment on existing practice, both formal (legislated) and informal. Accordingly, the legends and personal experience narratives, such as those collected by Evald Tang Kristensen, provide critical insight into not only how community members viewed the problem but also the types of solutions that they felt would best address it.<sup>5</sup>

Since the problem of poverty was neither simple nor consistent across the country, the debate on all levels was complex. Proposals by one group to address an aspect of the problem invariably angered other groups, who in turn offered counter-proposals. Implementation of legislative decisions was gradual, and institutional mechanisms to guarantee local compliance and enforcement were applied inconsistently. In short, poverty assistance legislation up through the nineteenth century was inefficient.<sup>6</sup> Although a consideration of efficiency alone cannot explain why Danish poverty assistance laws developed as they did, it can help reveal some of the difficulties that local parish boards,

district commissions and parliament confronted while devising policy.<sup>7</sup> Complicating matters further, democratic institutions and the open market economy were emerging phenomena throughout the nineteenth century, and legislators had to adjust to the demands of these new systems, at the same time as these new systems were fundamentally altering the nature of the problem. A significant challenge throughout the century was designing legislation that aligned with a fairly diverse array of ever-changing local practice and took into consideration the at times conflicting values of various constituencies.

The role that storytelling plays in aligning value systems is considerable, yet often overlooked (Tangherlini 1998).<sup>8</sup> Legislative reform works as part of a feedback loop where public opinion—shaped in low level informal exchanges in which rhetorically powerful stories can sway people to one side of an argument or another—forces policy to align with common practice and prevailing values. Although seemingly inconsequential, stories about the poor told by Kirsten Marie and her cohort could be deployed in this arena of public opinion, and would consequently inform both informal debate and local practice. Importantly, Kirsten Marie was not a lone individual telling stories about beggars and other destitute people. Instead, stories that addressed issues of poverty were ubiquitous in the traditional narrative expressive repertoires of rural nineteenth century Danes.<sup>9</sup> These stories proposed a wide range of views on the problem of poverty, and offered an equally wide range of strategies for combating aspects of the problem. This narrative framing of the problem of rural poverty and the proposed solutions percolated up into the debates of local parish boards and district commissions. Over time, this pressure from below helped shape the contours of the national debate and legislative reform, and moved the poverty assistance laws toward greater efficiency. The poverty assistance laws of 1891 came far closer to achieving efficiency than the legislation of a century earlier, which in turn was far more efficient than the earliest poverty legislation from 1708. Because of serious structural problems in the Danish government, the alignment process between legislation and public opinion was long and drawn out, resulting in many decades of legislative deadlock and, consequently, decades of inefficient poverty assistance and unnecessary suffering for the poor.<sup>10</sup>

The first attempts at a unified approach to the problem of rural poverty were expressed in the poverty laws of 1708 (Jørgensen 1940). Begging was outlawed, severe punishments were instituted, and the principal of public assistance was affirmed (Jørgensen 1940). Despite

outlawing the practice, the eighteenth century saw little success in the reduction of beggars, with some estimates ranging as high as sixty thousand beggars during the mid-eighteenth century (Villadsen 1944:124).<sup>11</sup> This failure can in large part be attributed to the lack of clear enforcement mechanisms and the absence of any real incentives for people to pay into the voluntary poverty assistance funds, particularly after 1734, when the funds were centralized at the level of *herred* [district], rather than *sogn* [parish] (Jørgensen 1940:7). This latter change departed dramatically from the principle of local solutions and local support and increased the inefficiencies in an already inefficient piece of legislation.

Prior to the land reforms of the 1780s, the most common form of poverty assistance was *omgangsbespisning*, where a poor person was assigned to different farms for a number of days throughout the year. Interestingly, this form of “controlled wandering” looked from the outside no different from begging. Yet it was fundamentally different, since control accrued to the individual community, and the level of support was decided by the individual farmer owners. Small holders (to the extent there were any) and lease holders rarely participated in this system. Instead, the entire system relied on the good will of the local farmer owners. Furthermore—and quite importantly—it allowed them to offer assistance in kind, and avoid the monetary tax burden that arose with later poverty assistance laws. While this solution appeared good to the farm owners, it was utterly inadequate to meet the rising demands of rural poverty. Fortunately, after the land reforms during the last decades of the 1700s, and the subsequent dispersal of farms onto their fields, this type of assistance became less common and consequently new models for providing poverty assistance and combating begging began to take shape (Jørgensen 1940:6-7).

Interestingly, the profound changes in social organization presaged by the land reforms and the dissolution of the *stavnband* were not recognized by members of the local administrative boards as the root causes of the rise in wandering and begging. Instead, according to petitions sent in to the Royal commission of 1787, the three main causes of the rise in begging focused on aspects of what was perceived to be inefficient legislation: (1) unfair and burdensome taxation, (2) an overzealous partitioning of fields and farms, and (3) people getting married at too early an age (Jørgensen 1940:26). This relatively early debate over the causes of, and means to prevent, poverty and begging prefigured the same discussions—and the same conflict between local rights and national rights—that animated local politics at the end of the

nineteenth century. Indeed, it was not until the very early nineteenth century that laws offering a more consistent approach to the care for the poor were enacted (Jørgensen 1940). While a new law governing care for the poor was signed in 1803, the absurdities of legislative deadlock made it impossible to pass a reform of the law until 1891, despite continued efforts throughout the nineteenth century at reform (Jørgensen 1940). The on-going negotiation of reforms to the 1803 law were a constant business item for parish commissions. Not surprisingly, these formal discussions filtered into informal discussions and storytelling and *vice versa*. The underlying principle of the law—that localities were responsible for their own poor—resonated with calls for increasing decentralization, particularly from *Venstre*, at the same time as it raised concern among farm owners (the new tax paying class as it were) that an unusually high burden was about to befall them, particularly in the context of calls from the cities' economic elite, that the urban poor be "sent back to where they came from."

Kirsten Marie herself was not poor, and never needed to resort to poverty assistance to survive. She lived on a reasonably large *husmandssted* [small holding] in Hornslet Mark and was married to a farmer, a *gårdmand* by the reckoning of census takers. Accordingly her class status was somewhat higher than that of Tang Kristensen's usual informants—but only barely. Even though the farm she shared with her husband had a *hartkorn* value below the fateful one barrel that divided *gårde* [farms] from *huse* [small holdings], it was large enough for her husband to consider himself a farmer, setting the family apart from the poorer day laborers, lessees and landless *indsiddere*.<sup>12</sup> The divide between farms and small holdings was more than a simple question of taxation; rather it was a divide that had ramifications in regards to social status and political behavior. Although some of the pressures confronting the owners of large *husmandsbrug*—*gårdmænd* in the context of the census records—were the same as those confronting farmers, (*gårdejere*, *proprietær*, etc) including concern over the increasing tax burdens that were becoming part of the economic landscape in the aftermath of the *kommunale reform* [county reform] of 1867, the majority of the concerns for the owners of even the largest *husmandssted* aligned more closely with those of poorer small holders and even day laborers than with those of the farm owners (Dybdahl 1982:93-5). One of the clearest differences between small holders and farm owners was that farm owners hired people while small holders did not. This difference put the two groups on opposite sides of the labor market and

across a significant social divide. The economic trajectories of the two groups were also divergent, with farm owners generally moving up and small holders moving down. A main characteristic of the farm owning class, who formed the backbone of the emergent *Venstre* party, was their political engagement and, in particular, their emphasis on the need for local governance. The small holders were often too preoccupied with eking out an existence from the land to be overly involved in local and national politics in any type of official capacity.

Despite the smallish size of her husband's holding, Kirsten Marie had numerous reasons for identifying with the farm owning class and their political party, *Venstre*. For one thing, her father was a farm owner and, as such, she had been raised in a forward-looking, entrepreneurial household.<sup>13</sup> Also, her brother, Rasmus Kjær, was financially well-off and politically engaged. Rasmus had inherited his farm in neighboring Halling parish from their father, Peder Andersen, who in turn had built the holding up from a *bolsted* (a valuation of between one and two hartkorn) into an actual farm. By the time Rasmus took charge of the farm, it was, even without the elimination of the *bolsted* classification from official records, quite comfortably a farm. One can hardly blame Kirsten Marie for ascribing herself slightly higher economic and social class than was her due given the size of her husband's land holding. After all, she had been raised on a farm, and her brother was a farmer. Accordingly, it is likely that in her own eyes—and in the eyes of other people in the community—she was for all intents and purposes a member of the farm-owning class. She was quite close to her brother (he had introduced Tang Kristensen to her) and this closeness further supported both her own self-identification and the broader, public identification of her farm-owning class status. In turn, this self-identification informed her political leanings, particularly on hot button topics such as poverty assistance.

As with most individuals, Kirsten Marie was not interested in developing an efficient solution to the problem of poverty assistance *per se*. Going back to Adam Smith, economic theorists have shown that individuals in a market economy focus on personal gain, irrespective of the social costs of such self-serving behavior (Smith 1904 (1776)). Kirsten Marie's ideological stance was one that aligned with other farm owners, offering solutions that would minimize her loss while minimizing the gain of the poor. At the same time, she wanted to align the economics of her position with other cultural values such as generosity that had significant currency given the importance of Lutheran teaching in village life. Consequently, she endorsed an approach to poverty assistance

that alleviated any guilt she might have felt through the emphasis on generosity while at the same time guaranteeing a large, captive pool of low-cost labor. While a "will work for food" policy may have been good for the farm owners, it hardly would have been good for the poor and certainly would not have resulted in a net social gain. Conversely, other storytellers endorsed positions that were at the opposite extreme, proposing a system of wealth redistribution that approximated theft, maximizing the gain of the poor by maximizing the loss of others.<sup>14</sup> Over time, the negotiation of a common ground among the many storytellers and their audiences, whose views ranged the entire length of the ideological spectrum, resulted in an ideological alignment and the chance for efficient policies to evolve.

Kirsten Marie likely shared her ideological stance on poverty assistance with her brother, Rasmus. Besides being a well-to-do farmer, or perhaps because he was a well-to-do farmer, Rasmus was deeply involved in local politics, serving among other capacities as a member of the local parish board, and as the parish bailiff. In that capacity, he was one of three people responsible for the local poverty assistance board (Jørgensen 1940). Tang Kristensen describes his first meeting with Rasmus in *Minder og Oplevelser*:

*Han fulgte dog snart hjem med mig, og saa fortalte han en Del for mig og var i det hele meget flink. Jeg fik ogsaa Mad hos ham. Han mente nu, at det var bedst, jeg kom hen til hans Søster, der boede i Hornslet, for hun var meget bedre til at fortælle end han, og jeg besluttede mig da til at besøge hende med det samme. Rasmus erklærede saa, at jeg kunde følge med ham derhen Dagen efter, for han skulde netop kjøre til Hornslet, og det vilde jeg jo gjerne. Det var imidlertid blevet hen imod Aften, og jeg tænkte, at han vilde tilbyde mig Natteby, men det gjorde han ikke. Han havde endda en stor Gaard med Værelser nok og var meget velhavende. Men han var jo Sognefoged, og saa kan det være, han i den Egenskab ikke holdt af at huse omstreffende Personer som mig. (Kristensen 1923-28, 3:312)*

[Soon I followed along home with him, and then he told me some stories and was all in all quite nice. He also fed me. He now felt that it was best that I went over to his sister who lived in Hornslet, since she was a much better storyteller than he was, and I immediately decided to visit her. Rasmus explained that I could come along with him out there the next day, since he was going to be driving to Hornslet, and I said I would like that. In the mean time, it had become night, and I thought that he would offer me lodgings, but he didn't. He had a big farm with plenty of rooms, and was quite well off. But he was the parish bailiff, and so it could be that in that capacity, he didn't want to house any wanderers like me.]

Tang Kristensen's ironic self-characterization as an "omstrefjende Person" [wanderer] resonates with the issue of poverty assistance and the related problem of beggars. It also suggests, however obliquely, that the question of poverty assistance was one that had Rasmus's attention.

Up through the nineteenth century, there were two main aspects of rural poverty that concerned, although for different reasons, the farm owners and the small holders. First, there was the question of poverty assistance—who should pay for it, who should be allowed to receive it, how much (and what kind of) assistance should the poor receive, where should they be housed, and what type of long term impact should poverty assistance have on the individual's ability to reenter the normal social and economic arenas? (Jørgensen 1940) Second, there was the closely related question of begging—should it be combated, and if so, how? (Jørgensen 1940) For the farm owners, it boiled down to their desire for cost containment and local control. In short, they were less concerned about net social gain, and more concerned about asset protection. For the small holders, it boiled down to the availability of an economic safety net, if one was ever needed. Although they may have been amenable to a policy that sought net social gain, their immediate concern was with immediate and future personal benefit (minimizing loss in this context can also be seen as benefit).

The first real attempt at poverty legislation was the poverty law of 1803. It did little to guarantee consistent, accessible poverty assistance and focused instead on beggars, who were defined as "alle de, som paa Veie eller Gader, i Huse eller Gaarde, ved Ord eller Gebærder, eller ved at fremvise legemlig Bræk, anholde om Almisse eller modtage samme" [all of those who, on roads and streets, in houses or in farms, with words or gestures or by showing physical disabilities, request alms or receive the same] (Jørgensen 1940:266). They were divided into two groups—much the same as the poor in general, who were divided into the truly needy and the self-inflicted needy. When the beggars were caught, they were punished according to their classification, either as a beggar who really needed assistance but preferred to beg rather than to seek help from the newly established local poverty assistance, or as a beggar who could work but chose to beg instead. Punishment of the first group of beggars was significantly less severe than that for the second group. But even in the realm of punishment, the farm-owning class felt that they could handle the problem locally. While there are few legal records that refer to this debate, the folkloric record is replete with stories that could be deployed rhetorically as part of this ongoing debate. Kirsten Marie



tells one such story in which local control and local punishments are sufficient to combat the beggars:

*Det var en Ståkelmand der kom ind til min [Moder] Oldefaders Moder i Nielstrup og h. bad om noget. S. vilde hu give ham et Stykke Brød. S. svarte h. og s. Brød vilde a tage Brød som a kunde tage Brød til. S. kunde a lægge en Bro imeld Nielstrup og Voldum. S. er du ikke trængende til at tigge, s. hu og s. fik ham af Mungletræet og nu rejste h. af.*

[A beggar came to my great grandfather's mother's house in Nielstrup and he asked for something. So she wanted to give him a piece of bread. But he answered and said, "Bread! If I took all the bread that I was offered, I could build a bridge between Nielstrup and Voldum." – "Well, then you don't need to beg," she says and then he got a taste of the mangle roller and then he went away.]<sup>15</sup>

Here, the housewife's punishment of the undeserving beggar obviates the need for central bureaucracy and external control. Even though the underlying structural problem of poverty is not addressed by the housewife's actions, the immediate problem is addressed in a cost-effective manner. The beggar's own response goes so far as to suggest that poverty does not truly exist and that beggars are simply free-riders, engaged in an elaborate confidence game designed to maximize their benefit by getting (good) food without having to work.

Kirsten Marie's storytelling includes a large number of stories about beggars, gypsies, and other "omstrejfende personer," all of whose actions reflect one or another aspect of the free-rider problem that the farm owners so feared.<sup>16</sup> The stories she tells do more than simply report on the existence of beggars. Instead, they comment, albeit indirectly, on the efficiency of strategies, including legislative ones, for dealing with this vexing problem. While Kirsten Marie's stories are uniformly set in the past—often at a remove of several generations—they articulate an ideological position based on the concept of local rule, the rallying cry of *Venstre* (Jørgensen 1940:112-28; Nørr 1994:120). By recounting events from a time when individual charity and locally administered assistance rather than central control and collective taxation provided the basis for poverty assistance, Kirsten Marie espouses an essentially conservative position that could have been taken directly from the *Venstre* platform. A story about the "threat" of "foreign" beggars and gypsies resonates well with this ideological stance:

*Der er nogle store Høje henne paa Nielstrup Mark der kaldes Ståbdrup Høje. Der gik a og gantede Kreaturer (passede dem). Nedenfor ligger en Dal og der i den skal have ligget en grd der hed Tuesgrd, Lavningen der kaldes Tuesgaard endnu. Vi skal om i Tuesgaard. Der var ikke andet at se af den end Brostenene. De maatte jo til at flytte sam igjen for Kjaltringer og Tatertøj, og flyt ind til Byen. Nu spredes de igjen. En Pige fortalte, at hos hendes Faders der boede i Rejstrup kom et Par ind om Aften og vilde laane Hus. De tog noget Halm ud og redte til dem paa Gulvet i Stuen. Om Morgen da de kom op, da laa der 17. Der imellem dem var en der gik altid og sagde: Gud lad Kraft fortære mig. Min Moder sagde, at det sidste hun saa hende, da gik hun med Fingerne i Struben. Hun junde ikke drikke nærer end det løb derud.*

[There are a few mounds out on Nielstrup field, they call them the Ståbdrup mounds. I went out there and watched the cattle. Below them there's a dale where there was supposed to have been a farm that was called Tuesgård. The dip there is still called Tuesgård. "We're going over to Tuesgård." There was nothing to see there except the cobblestones. People had to move closer together because there were so many beggars and gypsies, and move into town. Now they are spreading out again. A girl said that at her father's place, he lived in Rejstrup, a couple came in one night and asked for lodgings. They took out some hay in and made a place for them on the floor in the living room. When they woke up in the morning there were seventeen people there. Among them, there was one who always said, "God, let me be devoured by cancer." My mother said that the last time she saw her, she went about with her fingers in her larynx. She couldn't drink without it pouring out of there.]<sup>17</sup>

Interestingly, her story echoes remarks made in a Royal petition over a century earlier: "adskillige steder i Danmark befindes en del omløbende fremmede Folk, som ikke alene betle, men endog paa Landet foruleilige, ja true Almuen" [numerous places in Denmark one finds a number of foreign people who not only beg but also inconvenience, even threaten, the peasants] (Jørgensen 1940:9). The honest farmers are directly threatened by the encroachment of the rapidly multiplying foreign poor. Since the foreign poor are not the responsibility of the local community, the most cost-effective strategy to deal with them is to simply drive them out.

Yet Kirsten Marie's ideological stance is not without complexity, perhaps due to her tenuous association with the farm-owning class. She does not only propose strategies that attempt to minimize her own loss and others' gain. Instead, in some of her stories, she attempts to reconcile aspects of local social and economic organization, the enforcement

of existing laws, her own fears of economic calamity, and her apparent belief that local voluntary charity, predicated on the generosity not so much of farm owners but of their wives, should be sufficient to care for the local poor. That these at times conflicting concerns were foremost in her mind can be gleaned from the order in which she tells her stories. Despite Tang Kristensen's likely entreaties to her to sing or tell fairy tales, among the very first stories Kirsten Marie tells Tang Kristensen is the following:

*Min Fader tjente i Stubdrup og s. havde de en Stodderhonge i Nielstrup. S. tænkte min F. nu vil a klæde mig ud i noget gl Klæder og give sig ud for en Staakelsmand. Dg. nu Stodderk. kom over Bakket s. havde h. lavet det saadan, at h. kunde lige slippe ind i den grd i Stubdrup, hvor h. tjente. Da nu Stodderk. kom ind, s. h. har der ikke været en Tigger her. Jo der har sku s. s. Konen h. rendte over efter Drostrup alt det h. kunde. S. rendte h. over til Drostrupgaardene og der spurgte h. ogsaa efter ham. Jo s. de h. gik nu lige ind i den anden grd. S. gik h. derind. Jo s. Konen, h. satte nu efter Hallendrup. S. rendte Stodderk efter ham lige til h. hvæste, men da rendte min Fader igjen ud til Stubdrup og ind i den anden grd. Da h. nu kommer derind havde Konen kogt en yndig Suppe til Middag. Staakelsmanden siger Goddag. Konen kjendte ham strgs. Aa sæt dig ned og faa en Skefuld Suppe. H. satte sig og saa ned og s. kom Stodderk. Er du her din Kanalli, du skal F. flytt og føre dig ud. S. s. Kon. Nej sæt dig ned Rasmus og søb en Skefuld Suppe med ham og sid og kom til Rette om det. S. sad de ved hinanden og spiste Suppe. Den Iste Skefuld stodderk. tog s. rakte Staak. over og tog Klumpen fra ham. Saadan [rakte] rakte h. det af hans Ske flere gange. S. tænkte h. Ja maa a ikke faa Suppe, s. kan a da tage et Stykke Kjød. Da h. nu havde faaet det tog min Fader. over paa hans Tallerken. Da bliver Stodderk. gal og greb min F. i Nakken og h. skulde da sættes ud. Dg. h. nu kom i Døren, s. lod min Fader sig falde ud i Forstuen og [stak] Stodderk oven paa ham og s. holdte (hoold) h. ham. S. skreg h. og sagde, te h. slog ham ihjel. Aa Herregud s. Konen, lad ham gaa Rasmus. H. kunde ikke komme op. Endelig kom h. op og s. sprang Ras. over til den anden Grd og kom af hans Klæder og s. var h. ikke Stakelsmand længere. Stodderk. blev slet ikke klog paa hvem h. var.*

[My father worked at Stubdrup and there was a beggar's bailiff in Nielstrup. Then my father thought, "I'll put on some old clothes," and pass himself off as a beggar. Now when the beggar bailiff came over the hill, my father had arranged it so that he could just make it into the farm in Stubdrup where he worked. When the beggar bailiff got there, he asked, "Wasn't there a beggar just here?" "Yes, there was" says the farmer's wife, "he ran off to Drostrup as fast as he could." So then the beggar bailiff ran over to the Drostrup farms and asked about him there too. "Yes," they said, "he just went over to the other farm." So the beggar bailiff went over there. "Yes," said the farmer's wife there, "he just left for

Hallendrup." Then the beggar bailiff ran off after him again, until he was wheezing but then my father ran back to Stubdrup and into the other farm. When he gets there now, the farmer's wife had made a wonderful soup for lunch. The beggar says hello. The farmer's wife recognized him immediately. "Oh sit down and have a spoonful of soup." So he sat down and then the beggar bailiff arrived. "Are you here you bastard (kanalli)? You damn well better move yourself out of here." Then the farmer's wife says, "No, sit down Rasmus and have a spoonful of soup with him and figure this out." Then they sat with each other and ate soup. The first spoonful that the beggar bailiff took, the other beggar reached out and took the chunk of fat from him. He took it from his spoon like that several times. Then he thought, "Well, if I can't have any soup, then I can take a piece of meat." When he'd gotten that, my father took that off his plate. Then the beggar bailiff got angry and grabbed my father by the scruff of the neck, he was going to throw him out. When they got to the door, my father fell down in the foyer, and the beggar bailiff fell down on top of him and then he held onto him. Then my father screamed and said that the beggar bailiff was going to kill him. "Oh God," said the farm wife, "let him go Rasmus." Finally he got up and then Rasmus ran over to the other farm and took his clothes off, and then he wasn't a beggar anymore. The beggar king never found out who he was.]<sup>18</sup>

This longish story is interesting for several reasons. The familial connection between Kirsten Marie and the main legend actant—her father—implies a close ideological alignment between her and the outcome of the story. Importantly, the *stodderkonger* or *tiggerfoged* [beggar bailiff] is shown to be ineffective, and his office as laughable.

The position of beggar bailiff originated in eighteenth century attempts to combat begging (Jørgensen 1940). The establishment of the office was predicated on the underlying philosophy of Danish care for the indigent from 1708 up through the early twentieth century, namely that each district was to care for its own poor (Jørgensen 1940:40). The beggar bailiff [*tiggerfoged*] was chosen from the local poor by the parish board and charged to keep beggars from other parishes away in exchange for a small salary. The office was never a central component of Danish poverty laws, but was fairly common in smaller parishes, particularly in Jutland. Interestingly, the legal basis for the position was repealed already with the poverty law of 1803, but there was a loophole that many local parishes exploited—in the event that the local commission determined that there were too many beggars, the commission

could appoint someone to hunt down the beggars and either deport them or arrest them (Jørgensen 1940:37). In the final analysis, the position of the beggar bailiff was one that represented an inefficient system that failed to appease the demands of any constituency: on the one hand, the office relied on taxation as its main funding mechanism and a national law for its legitimacy; on the other hand, the office attempted to enforce the concept of local control—but it did so by forcing the problem (beggars) onto other, neighboring parishes. As one went out one side, another was likely to come in the other side. Besides being inefficient—or perhaps because it was inefficient—the policy led to increasing tensions between parishes.

Kirsten Marie's obvious delight in her father's antics that indirectly challenge the local governing board, while directly teasing the low status beggar bailiff, also reveal her attitudes to a relatively complex series of status divisions functional in late nineteenth century rural Denmark. Kirsten Marie's father is, at the time of the events, a hired hand, and only incrementally better off than the beggar bailiff. His masquerade as a beggar enacts this tenuous divide. By contrast, when Kirsten Marie tells the story, she sees herself as a farm owner's wife, and thus narratively parallel to the farmer's wife who provides alms for the false beggar and the beggar bailiff. The farm wife in the story is narratively powerful, aware of the identity of the false beggar, and firm in protecting him from the otherwise justified actions of the beggar bailiff, Rasmus. The story enacts an amusing reversal: Kirsten Marie allows her (and her brother Rasmus's) father to toy with an officer of the poverty assistance board and narratively question the efficacy of that office.

The second part of the story in which Kirsten Marie's father steals the beggar bailiff's food is reminiscent of a well-known contemporary legend. In those stories, a person mistakenly eats someone else's food, often on board a train, a ferry, or at a cafeteria (Christensen and Zola Christensen 2001). The stories also include a twist: the protagonist discovers that the person whom she thought was a thief was actually the victim of her thievery. Once the tables are turned, the previously smug protagonist is mortified over her breach of social etiquette. In Kirsten Marie's story, by way of contrast, there is no question of etiquette, and the beggar bailiff never discovers the underlying ruse. Furthermore, the question of theft is more complicated than in the contemporary legend, and depends on an economic interpretation of begging.

Begging can be seen as a form of theft—the receipt of goods without payment or any service rendered—and beggars, particularly those who

belonged to the class of beggars who chose to beg instead of working, were treated in Danish law as criminals (Jørgensen 1940:266-67). In the story, that equation is made explicit in the actions of the false beggar: food is stolen right off the spoon of the beggar bailiff, the person charged by the community with protecting the borders from the incursion of foreign beggars (read: thieves). Yet, here, the beggar is not what he appears to be, and the underlying "theft" associated with begging is revalued by the farmer's wife, who proposes charity. The false beggar makes explicit the implication that begging is thievery in his provocation of the beggar bailiff, who reacts accordingly. His reaction, however, is rebuffed by the farmer's wife, and the beggar bailiff is forced to relent. The farmer's wife, through her actions, paradoxically endorses a position of local charity that countermands the office of the beggar bailiff, an office that is based on the premise of surveillance, control, and punishment (Foucault 1975). Ultimately, the narrative focuses on the charitable act of the farmer's wife instead of on the implicit and explicit thievery of the (false) beggar.

Kirsten Marie's stories about beggars refract many of the concerns of late nineteenth century farmers concerning their role in assisting the poor. There was a clear sense that "foreign" wanderers and beggars played a large destabilizing role in the local economy. Yet, by the time that Kirsten Marie told her stories, beggars were more of a conceptual category. Rather than posing an actual physical, social, and economic threat, beggars represented the potential for economic breakdown and illustrated in the clearest possible sense the free-rider problem that could arise from increasing urbanization, and the increasing ranks of the ever poorer *husmand* class.

Telling stories about beggars and the poor allowed narrators an opportunity, through the exploration of extreme past cases (precedent, as it were) to endorse particular forms of poverty assistance for particular classes of the poor. By telling and retelling these stories, people negotiated underlying values and established local practice that addressed the problem. In turn, these local practices were coordinated on a larger scale through legislation that eventually led to a relatively efficient national system for poverty assistance. In the case of Kirsten Marie's stories, it is clear that she felt a responsibility—like so many of her alleged cohort, the farm owners—to care for the local poor. But the care that she proposed was not a position endorsed by the existing legislation. Instead, it was a position favored by many local parish boards that favored in-kind, voluntary donations. Yet when such donations were an

integral component of poverty assistance in the eighteenth century, the begging problem was at its worst. The tension between local governance and the central administration—a key social and political concern throughout the nineteenth and early twentieth century—not only gave shape to, but also guaranteed the persistence of, these stories. These stories, in turn, lay the foundation for a lively exchange of ideas that allowed people to align their values, so that efficient solutions—ones in which social and economic good were balanced against individuals' persistent attempts to maximize their own benefit—could emerge in the give and take of the newly emerging democratic institutions and market economy. In Kirsten Marie's view, a view that was shared by many farm owners, individual initiative and local charity were the key to successful and efficient poverty assistance. If a beggar said he would work for food, then that was alright with her.

#### NOTES

1. This article is the second in a series of articles on "Legend and Legislative Reform in Denmark." In this paper, I use the characterization of legend that I presented in earlier work (Tangherlini 1990 and 1994). Legend is considered to be "a traditional (mono)episodic, highly ecotypified, localized and historized narrative of past events told as believable in a conversational mode. Psychologically, legend is a symbolic representation of folk belief and reflects the collective experiences and values of the group to whose tradition it belongs" (Tangherlini 1994, 22). Earlier versions of this paper were presented at the Annual Meeting of the Society for the Advancement of Scandinavian Study, in May 2005, and at the memorial for Prof. Donald Ward held at UCLA, also in May 2005. Portions of this paper were also presented at Indiana University in October, 2008. An introductory article to this planned series of articles was presented at the 5th Celtic Nordic Baltic Folklore Symposium on Folk Legends in Reykjavik, Iceland, in June 2005. Research for this project was supported by the John Simon Guggenheim Memorial Foundation. Many of the ideas were initially developed as part of the "Wildcat Canyon Advanced Seminars in Folklore," a joint research initiative of faculty at the University of California, Berkeley and the University of California, Los Angeles.
2. This recording and translation are made from Tang Kristensen's field diaries, rather than his published collections. In this and subsequent transcriptions, I have not expanded any of the abbreviations nor corrected any of the obvious spelling mistakes found in the manuscript. The story was published in *Jyske Almueliv* V, 697 (Kristensen 1893-1894, 268) with some minor changes to the story. This and subsequent transcriptions and translations from Tang Kristensen's collections are my own.
3. Kirsten Marie Pedersdatter lived in Hornslet Mark, a small town in eastern Jutland, approximately twelve miles northeast of Århus. She told this story to

Tang Kristensen when he visited in May of 1890, one year before a major new reformed version of the poverty assistance law was passed.

4. The democratic constitution of June 1849 was the product of a period of political liberalization. This liberalization continued, albeit in fits and starts, through the nineteenth century and, with the *systemskiift* of 1901, the democratization of Denmark was essentially complete (Hvidt 1990, 359-65; Dybdahl 1982).
5. Evald Tang Kristensen (1843-1929) is Denmark's most prolific collector of folklore. During the course of his active collecting period that spanned nearly fifty years from 1868 on, he developed one of the most extensive collections of folklore produced by a single individual in Europe. His collections provide a unique and unparalleled window into rural life in Jutland during the last decades of the nineteenth century and the first decades of the twentieth century.
6. This goal is particularly true in a system of civil law such as the one found in Denmark. Since calculations of policy efficiency are by nature complex, and since not everyone necessarily agrees on the parameters of those calculations, it is often difficult to assess whether a policy will be seen by all as efficient (Stringham 2001). Legislation is considered to be "efficient" if it is internally consistent, does not require ongoing modification either through legislative action or appeals for adjudication of individual complaints, limits the potential for a free-rider problem, allows for easy compliance, includes clear mechanisms for enforcement, and promotes a social good. If legislation requires significant and continuous revision to produce desirable outcomes, it can hardly be seen as efficient. In an ideal situation, legislative reform should move policies toward greater efficiency in a manner that both maximizes any potential societal gain (in this case, assistance to the poor) and minimizes any potential societal loss (in this case, in the form of taxation and costs associated with implementation and enforcement). The policies should also align with a societal "good," a good that may not always be easily expressed in economic terms. In this sense, this measure of efficiency differs from strict economic measures of efficiency that rely on models such as the Kaldor-Hicks hypothesis that emphasizes wealth maximization, or strict Pareto efficiency in which at least one person is made better off, and no one is made worse off (Hicks 1939; Kaldor 1939). The work of the late nineteenth century Italian economist, Vilfredo Pareto (1848-1923), was certainly not known to most Danish rural farmers, or even Danish legislators. Nevertheless, the types of economic processes he described, as well as questions of wealth distribution and the move toward efficiency in which no person could be made better off by any improvements in the system, have significant resonance with the situation in Denmark. Importantly, developments in Denmark were contemporaneous with his work on the Italian economy.
7. The suggestion by some that common law tends toward Kaldor-Hicks efficiency is an important counterpoint to the limited good model proposed by George Foster to explain certain features of peasant economies (Deffains



2002; Caplan 1999; Stringham 2001; Foster 1965). Stringham argues that Kaldor-Hicks efficiency cannot be a standard for the implementation of policies. On the other hand, it may well be that "found" law tends toward this type of efficiency, and that legislators can be most effective when they take advantage of this phenomenon. Importantly, the Danish legal system is one based on civil law, rather than common law, and as such has a degree of inefficiency built in, since civil law relies primarily on legislation, rather than precedence and custom as in common law.

8. Common law is the clearest example of "found" law, and is generally more efficient than "made" law (Posner 1979).
9. This conclusion relies on the assumption that Tang Kristensen's collection of stories from 6,500 Jutlanders offers a reasonable snapshot of the scope of narrative tradition in Denmark from 1870-1910.
10. When the first true poverty assistance laws were promulgated in 1803, Denmark was still ruled by an absolute monarch. Despite the passage of a democratic constitution mid-century, the Danish parliament was bypassed in regards to the budget in 1877 and again from 1885-1894 (*provisorietid*) under the leadership of the conservative and manor lord friendly Jacob Brønnum Scavenius Estrup (b. 1825- d. 1913). See Hvidt 1990, 283-98.
11. Out of a population of approximately eight hundred thousand people.
12. For taxation purposes, all farms were assessed a *hartkorn* value, a measure of a farm's estimated potential yield. Any property that had less than one barrel in assessed value was legally considered to be a *husmandssted* [small holding]. An *indsidder* was someone who owned a house, but did not own any assessed land beyond a small garden. An assessment from 1-12 barrels qualified the property as a farm, from 12-24 barrels, as a *proprietargård* [large farm], and above 24 barrels as a *gods* [manor farm] (Ugilt 1980, 18).
13. In a discussion of individual psychology and outlook during the manorial period in Denmark, Palle Ove Christiansen proposes a dialectic between those who were fatalistic, and believed they could do little to improve their lot in life, and those who were self-starters (Christiansen 1995 and 2002). While it would be simplistic to apply this model uncritically to a period one century later, the economic privilege that accrued to farm owners in mid to late nineteenth century Denmark allowed them to be significantly more entrepreneurial than their small holder counterparts.
14. A fairly typical story of Jens Langkniv, a Danish "Robin Hood," can be found in *Danske sagn* IV 1467: Jens Langkniv lived in Hvistelstov mound west of Navtrup church. There was a road from the sound to Navtrup and on off to the east, and he plundered those who traveled the road. He had a thread over the road and a bell inside the mound that rang. He and his helpers went and robbed up here in Navtrup. He was so strong that he could lift a tree that barred the entrance to their den, and in that way make an opening so the others could crawl out and take what they wanted. One time, one of them got caught between the wall and the tree and was left stuck there (Kristensen 1980 vol. 4, 467).

15. Published in *Jyske Almueliv* V 539 (Kristensen 1893-4, 216).
16. A free-rider problem would force an unnecessary loss on the farm owners, and offer an unfair gain to the false beggars.
17. Published in *Danske sagn* III 1566 (Kristensen 1980 vol. 3, 315).
18. Published in *Jyske almueliv* V 584 (Kristensen 1893-4, 230).

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