

Liquid Politics: Needs, Rights, Waste and the Formation of the Consumer
in Nineteenth-Century Water Politics in England

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On Monday 15 July 1895, one and a quarter million inhabitants in the East End of London awoke to a water shortage. Charles Lyel, a householder and member of the Hackney Vestry, complained that the East London Waterworks Company had stopped his constant delivery and switched back to intermittent supply. Water was turned on between 9 and 10 in the morning and flowed for a mere two to three hours, with the result 'that I am deprived of my morning tub, [and] there is no bath for the children in the evening.' To be told by 'the company that the supply "is ample for all legitimate use" is adding insult to injury', Lyel told *The Times*.¹ East Enders without Lyel's benefit of a cistern, or occupying the upper floors of industrial tenements, were less fortunate. For a 'very careful woman, accustomed to flush and disinfect her house drains', though living in an 'insanitary street', one correspondent observed, 'the want of water' made it impossible to keep the children clean and do her work as a laundress.² People began to store water in jugs, buckets, basins or any container available. Others began to mobilise consumers against water companies. John B. Kyffin, a draper of Hackney Road, had for some days put up with difficulties arising from the 'scant supply of water' for his shop and his twenty-six assistants. When the water necessary for domestic purposes, like flushing the toilets, 'practically ceased altogether' on 15 and 16 July, he had had enough. Looking at the rates (local taxes) water companies were collecting on his property, valued at almost £200, and comparing them with toilets with 'no flushing remedy' and assistants taken ill while the company sold the local authorities a million gallons to water the roads, Kyffin took the company to the police-court for failing to give the statutory 'proper supply of water for

¹ Letter from Charles Lyel, *The Times*, 23 July 1895; cf. *The Times*, 30 July 1895, 3 d. For metric readers: 1 gallon is 4.55 litres.

² *The Times*, 29 July 1895.

domestic purposes.³ Kyffin lost, but now proceeded to mobilise consumers across Hackney with support from the vestry and fellow ratepayers.³

The battle between consumers and water companies during the East London 'water famine' of 1895 was the tip of an historic iceberg of consumer politicisation in the nineteenth century. Our understanding of water has been mainly situated in the rich literature on public health, urbanisation, temperance, housing, hygiene and the material environment.⁴ While building on this research, the line of inquiry of this essay is rather different. It seeks to reconnect the nineteenth-century contestation of a basic good (water) to central problems of modern consumer society, in particular the formation of the consumer around questions of needs, rights, and waste. Whatever their particular registers, from Veblen to recent post-modern accounts, the seminal texts on consumer revolutions, consumer culture, mass consumption or consumerism have structured their narratives around the expansion of tastes, desire, affluence, and commercial objects and spaces, and their employment in the creation of social distinction, modernity, and liberal self.⁵ Put differently, the literature has followed Maslow's chronological hierarchy of needs: consumer societies emerge when humans have advanced from basic needs, like food and shelter, to higher emotional needs and material wants.

The aim of this essay is to problematise this dominant approach by asking about the place of needs and the non-market provision of basic goods in the formation of the consumer in modern societies. Access, purchase, and use of a growing mountain of commodities in the

³ Kyffin was also Chairman of the Open Spaces Committee, Hackney Vestry. Letter from John B. Kyffin, *Daily Chronicle*, 22 July 1895.

⁴ Dorothy Porter (ed), *The History of Public Health and the Modern State* (Amsterdam and Atlanta: Rodopi, 1994) pp. 140-147; Christopher Hamlin, *Public Health and Social Justice in the Age of Chadwick* (Cambridge: Cambridge University Press, 1998), pp. 12-13; Dorothy Porter, *Health, Civilization and the State: A History of Public Health from Ancient to Modern Times* (London: Routledge, 1999), pp. 118-20; Daunton, *Housing*; Daunton 'Utility' in Daunton and Hilton, *Politics of Consumption*; David Owen, *The Government of Victorian London, 1855-1889: The Metropolitan Board of Works, the Vestries, and the City Corporation*, edited by R. McLeod, with contributions by D. Reeder, D. Olsen and R. Shepherd (Cambridge, MA: The Belknap Press of Harvard University Press, 1982); Patrick Joyce, *Rule of Freedom*; Stephen Halliday, *The Great Stink: Sir Joseph Bazalgette and the Cleansing of the Victorian Metropolis* (Thrupp, Stroud: Sutton Publishing, 1999); Brian Harrison, *Drink and the Victorians: The Temperance Question in England 1815-1872* (1971/2nd Edn., 1994), R. Evans, *Death in Hamburg*.

⁵ Veblen, *Theory of the Leisure Class*; Adorno and Horkheimer, 'Culture Industry'; John Kenneth Galbraith, Brewer and Porter; Simon Schama, *Embarrassment*; Richards, *Commodity Culture*; Stuart Ewen; Jean Baudrillard; Bourdieu, *Distinction*, John Fiske; Rose and Miller. Notable exceptions are the approaches developed by Mary Douglas and Baron Isherwood, and, more recently, by sociologists Alan Warde and Gronow, eds. *Ordinary Consumption*. See also Haupt, *Konsum und Handel*.

eighteenth and nineteenth centuries did not in and of itself generate reflexive 'consumers'.⁶ In Britain, often seen as the birthplace of modern consumer culture, this was a product of battles over 'necessaries', especially bread and water. Until the turn of the twentieth century, 'consumer' still mainly referred to the person 'using up' water, gas, and perishable foods. And it was struggles over these particular consumables (rather than commodity culture in general) that would flesh out a new social and political persona of the consumer. Using water in nineteenth-century London as a case study, this paper explores the significance of a basic good and questions over access, quantity, quality, price and control in the making of the consumer. Water, in this sense, functions not only as a barometer of changing understandings of public health or of the city as a site of liberal governance, but also of the changing reflexivity of actors as consumers. Consumers were the agents and products of a shifting construction and contestation of needs, rights, rationality and waste. The nineteenth-century water wars led to an unprecedented mobilisation of users as consumers, defining a new social identity for actors and a category of knowledge and legitimation in public debate. This story broadens our understanding of the genealogy of 'active' and citizen-consumers associated with affluent consumer cultures, but may also be useful for thinking about ways of reuniting the study of consumer societies with that of human development and rights to basic goods all too frequently divorced in recent years.

Water London: Monopolies and Fragmentation

One way of thinking about the modern city has been in terms of the body. Organic 'auto-regulation' became an attractive model for some nineteenth-century engineers and sanitary reformers envisaging, as Patrick Joyce has recently put it, the 'constant circulation of fluids and the continuous replenishment of vital functions.'⁷ This model may hold for the sewage system – though this was not united until the 1860s in London – but has less interpretive potential for water supply and water consumption. 'Water London' – to use the contemporary term for the metropolitan area covered by the London water companies – was less one body with constant circulation than a series of separate monopolistic networks offering mainly inconstant supply, providing uneven access across different municipal boundaries, drawing water from different sources and through (mainly) separate systems of mains. People living in

⁶ See Frank Trentmann, 'The Genealogy of the Modern Consumer: Meanings, Identities, and Political Synapses' in Sheldon Garon and Patricia Machlachlan, *Consumer Cultures and their Discontents: Asia, Europe, America* (forthcoming).

⁷ Joyce, *Rule of Freedom*, p. 65.

neighbouring streets and districts had radically different experiences as consumers of water, subject to different hours, quantities, standards of supply, and prices. Constant flowing water first began to be introduced systematically in the late 1860s, expanding over the next decade, but the progress of constant supply was slow and uneven.⁸ The number of houses with constant water (482,317) exceeded those with intermittent supply (287,432) only by 1891 (Appendix: Map 1 and Table 1). And many areas on constant supply suffered from repeated water shortages.

Waste was not so much a by-product as a structuring feature of the system. In 1851, it was estimated that 29 million gallons of the 44 million pumped were wasted through the intermittent system.⁹ Rather than striving for a closed, self-regulating circulatory system, some companies adopted a more open-ended, bottomless approach. Under constant supply, the Grand Junction Company found it more rational to pump a phenomenal volume than to reduce its waste – in 1891 it supplied over 47 gallons per head per day, an extraordinary quantity compared to the London average of 31 gallons at the time, or the average 33 gallons (150 litres) *consumed* in England and Wales today.¹⁰

Water networks crisscrossed the patchwork of competing municipal authorities, expanding into neighbouring counties and suburbs; even after the consolidation of metropolitan government in 1889, the territory administered by the London County Council (121 square miles) was a mere 14% of Water London (845 square miles). This fragmented patchwork was favoured by a weak regulatory regime and had its origins in the early nineteenth century which saw the displacement of an open market in water by private monopolies.

Until the 1800s, Londoners had drawn water from surface wells, public pumps and limited piped supplies. For those who could afford it, there were water-finders and carriers to bring water to a customer's door. North of the Thames, the City's conduit system had given way in the late sixteenth century to more extensive piped supplies. Although surface wells

⁸ The Waterworks Clauses Act (1847), Metropolis Water Act (1852) and Metropolis Water Act (1871) had made statutory provision for constant supply. East London Co. was the first to start working towards the system, in 1866. See Anne Hardy, 'Parish pump to private pipes: London's water supply in the nineteenth century', in W.F. Bynum and R. Porter (eds.), *Living and Dying in London: Medical History Supplement No. 11* (London: Wellcome Institute for the History of Medicine, 1991), p. 78, pp. 85-89.

⁹ Baillie Cochrane in opposition to the Metropolis Water Bill of 1851, House of Commons, 5 June 1851, Hansard, 3rd s., CXVII, p. 465.

¹⁰ As the engineer of the Company, Mr. Fraser, explained to the Balfour Commission, *Report of the Royal Commission appointed to inquire into the water supply of the Metropolis* (1893), p. 15. Office of Water Services (OFWAT), *Security of supply, leakage and the efficient use of water, 2002-2003 report* (2003), Table 13, p. 39.

continued to be a significant source of water for some without adequate alternatives until the 1870s, the nineteenth century established the dominance of piped water. Of the eight London companies that dominated nineteenth-century supply, four were already established by 1800: the New River Company (1619), Chelsea Waterworks (1723), Southwark Waterworks (1760), and Lambeth Waterworks (1785).¹¹ By 1809, companies north of the river are estimated to have supplied 17 million gallons of water to 92,000 households and traders - around 736,000 people - at a daily rate of just over 23 gallons per head (see Appendix). Other key players arrived during a decade, between 1801 and 1811, in which the metropolitan population grew from 959,000 to 1.139 million: the South London Company (1805, amalgamating to form the Southwark and Vauxhall Waterworks in 1845), West Middlesex Company (1806), East London Waterworks Company (1807), Kent Waterworks Company (1809), and Grand Junction Waterworks (1811).¹²

The decade that followed became notorious, firstly, for intense competition between the companies north of the Thames and, secondly, for the establishment of a monopoly arrangement that was to last for the rest of the century. While customers may have benefited, during competition, from rival promises to deliver pure water at low prices to the highest houses, they also suffered random changes of supplier and constant road works. In response to falling prices and shares, the companies came to terms, agreeing on an informal 'districted' monopoly between 1815 and '17. South of the river, competition and agreement came in the thirties and forties.¹³ In spite of repeated waves of public censure, the eight dominant companies were able to withstand the challenges of new ventures proposing a wide range of alternative sources. Despite repeated calls for public control and ownership from the 1810s onwards, London resisted the prevailing nineteenth-century trend of municipalisation.¹⁴ The

¹¹ See H.W. Dickenson, *Water Supply of Greater London* (Leamington Spa and London: Newcomen Society / Courier Press, 1954), p. 6 ff; L.J Flowerday and G.G. Berry, *London's Water Supply, 1903-1953: A Review of the Work of the Metropolitan Water Board* (London: Staple Press, 1953), p. 4; Anne Hardy, 'Parish pump to private pipes: London's water supply in the nineteenth century', in W.F. Bynum and R. Porter (eds.), *Living and Dying in London: Medical History Supplement No. 11* (London: Wellcome Institute for the History of Medicine, 1991), pp. 80-82, Hardy 1984, pp. 250-253. John Graham-Leigh, *London's Water Wars: The Competition for London's Water Supply in the Nineteenth Century* (London: Francis Boutle Publishers, 2000).

¹² Water figures: *Report of the House of Commons Select Committee 1821*, Appendices B and L. cit. in Graham-Leigh, *London's Water Wars*, p. 14. (Graham-Leigh takes eight people to represent the average household.)

¹³ The South London Company (became Vauxhall Company in 1834) was bound by statute in 1805 to avoid areas served by the Lambeth Co. Following repeal (1834), a 'hot war' broke out (1839-842) then an agreement on limited competition. James Simpson: *Minutes of Evidence from the House of Commons Select Committee on the Metropolitan Water Bill*, PP 1851 (XV), pp. 726-27.

¹⁴ By the 1890s, 45 out of 64 boroughs had put water under municipal control. The 8 London monopoly companies were: New River, Chelsea, Southwark and Vauxhall, Lambeth, West Middlesex, East London, Kent, and Grand Junction Cos., drawing water primarily from the Thames and Lea rivers, New River and later from

arrangement came to an end only with the Conservatives' 1902 Metropolitan Water Act, which bought out the companies at a generous price of £43 million, and placed London's water under the control of the Metropolitan Water Board, with local authority representation.

Water London, in brief, lacked a unitary system, and its fragmented supply and consumption patterns with their uneven, disrupted and wasteful flow of water defy a vision of the city in terms of free material movement. Instead of an evacuation of the political, suggested by Joyce, water made for political contestation as its rising cultural status became harnessed to the political language of liberty, property, and civilisation.

Cultural Contestation and Early Ratepayer Protests

The first half of the nineteenth century witnessed the transvaluation of water, through cultural notions of purity and cleanliness, as well as the impact of Chadwickian public health. This transvaluation was a dynamic and contested process rather than a complete transformation. Early in the century, William Cobbett famously saw beer as the spring of health and virility. As late as the 1890s, advocates of pure water were criticising the working classes for not having acquired the habit of drinking water. 'It was a difficult task to get people to appreciate the value of water', according to teetotal advocate Sir Wilfred Lawson. Canon Barnett, of the East London settlement house Toynbee Hall, also felt that the use of water was 'not sufficiently common'. 'Many East Londoners', he said, 'welcome an excuse for not washing'.¹⁵ There can be little doubt, however, of the overall cultural elevation of water as a source of health and cleanliness. Water users exploited the notion that 'godliness is cleanliness'.¹⁶ Critics of water companies appealed to the public interest in 'pure water' as the 'first necessary of life'. What amounted to 'pure' or 'clean' water, however, was subject to different interpretations – a field of disagreement that would be diminished in time, but did not disappear altogether as theories of disease and testing methods continued to compete with each other into the late-nineteenth century.¹⁷ The *Ladies' Assistant* in the 1780s complained

chalk wells. Proposed alternative sources artesian wells sunk into the chalk beneath London and water from Welsh lakes.

¹⁵ Metropolitan Drinking Fountain and Cattle Trough Association, *Annual Report 1898*, p. 8. Letter from Canon Samuel Barnett, *The Times*, 4 August 1896. Cf. 'East London Water Supply', *The Times*, 8 August 1896. See also Howard Malchow, 'Free water: the public drinking fountain movement and Victorian London', *The London Journal*, Vol. 4 No. 2 (November 1978), and Vanessa Taylor, 'Brewers, temperance and the nineteenth-century drinking fountain movement' (PhD in progress, Birkbeck College, London)

¹⁶ LMA: Acc/2558/NR13/22: *The Supply of Water to the Metropolis of the Empire. An Appeal to the Sense of Duty, the Humanity, the Intelligence and the Foresight of the Inhabitants of London, by the Executive Committee of the Metropolitan Parochial Water Supply Association*, p. 1.

¹⁷ Christopher Hamlin, *A Science of Impurity: Water Analysis in 19th Century Britain* (Bristol: Hilger, 1990).

that water drawn from the Thames was “very often, muddy, or tastes strongly of weeds and leaves”.¹⁸ Yet, other writers praised the unrivalled ‘healthfulness’ and ‘plentiful’ supply of water in the metropole, and its contribution to the health and cleanliness of the population.¹⁹

In the 1810s and ’20s, the status of water as a basic need was mobilised through two complementary liberal languages: liberty vs. slavery and free tax-paying citizens vs. monopoly. Water was a ‘first necessity’. Its primacy as a need united everyone, and as ‘a gift of Heaven’ it was given to all. The pollution of water could affect everyone, and reduce even ‘splendid mansions’ to “whited sepulchres”.²⁰ Water undertakings had to be justified by public utility, and those speaking on the water question had to speak for the public. But if the most effective and legitimate way of delivering water for the benefit of the public was open to question, so too was the nature of ‘the public’.

In the years following the establishment of monopoly, bitter complaints about the cost, quality, quantity and unreliability of water supplies became commonplace. The first issue around which water customers organized was that of escalating prices. Opposition arose in various London parishes, the most high profile being that of St Marylebone. Protesting at high prices, the Select Vestry in this affluent west London parish - a body ‘composed of noblemen and gentlemen’ - introduced no fewer than three (unsuccessful) bills in 1818/19 for the establishment of a parochial water supply.²¹ Emerging from this opposition was the Anti-Water Monopoly Association, established in October 1819 by James Weale, a civil servant, resident in the West Middlesex Company district. With the active support of the St Marylebone Vestry, the Association canvassed neighbouring parishes to encourage the boycott of rate increases considered ‘highly illegal, very prejudicial to the Interests of the public in general, and extremely oppressive to a large proportion of the Inhabitant Householders’. The object of the Fund it established was ‘to enable the Committee to hold out, generally, to their fellow-parishioners, an Indemnity for ... Expenses which may be incurred in resisting the Importation of the Increased Rates’. Its members claimed to be ‘acting much more for the Public than for themselves’. The total sum raised at October’s meeting (£231) - contributed by ‘769 Housekeepers’ in limited ‘pecuniary circumstances’ -

¹⁸ Cit. in Oddy, ‘Food, drink and nutrition’, in Cambridge Social History, II, p. 264

¹⁹ Halliday, *Great Stink*, p.18. See also *Westminster Review*, 1830, Cf. Bill Luckin, *Pollution and Control*.

²⁰ John Wright, *The Dolphin: or, Grand Junction Nuisance, proving that seven thousand families in Westminster and its suburbs are supplied with water in a state offensive to the sight ... and destructive to health* (London: 1827), p. 10, pp. 97-98.

²¹ Matthias Koop Knight: *HCSC 1821*, p. 97; Graham-Leigh, *London’s Water Wars*, pp. 65-71. Vestries were the (Church of England) parish-based units of local government representation. Owen, 1982, pp. 213-225.

was said to show that 'the additional rates [were] being felt as a most oppressive burthen by the least wealthy classes of Housekeepers'.²² The Association was forced to appeal to 'Gentlemen of rank' to augment these funds. The local water companies - West Middlesex and Grand Junction - rejected claims that they were making profits at the expense of the public and dismissed campaigners' claims to represent the public interest. In 1818, Grand Junction issued public notices complaining about 'attempts ... to mislead and prejudice the public', stating that the directors had so far received no dividends, operating only 'at a great loss to themselves'.²³ To the 1821 parliamentary Select Committee that grew out of the agitation, the West Middlesex Company secretary denied this was a 'public grievance', being only a sectional interest, 'fomented by party' and 'kept by party', and appealing 'naturally' to 'the malcontents of the parish'.²⁴

If the Association was short-lived, having run out of steam by late 1820, debate about the rights of householders and the scope of the public continued. Protest was channelled into the Select Committee. Despite being chaired by William Fremantle MP, a member of the Association's management committee, the Committee acknowledged the 'peculiar nature' of the water companies' task and its high capital outlay, which made unrestricted competition unmanageable. In this view, prices were not unreasonably high, for good quality water.²⁵ James Weale, on the other hand, continued to protest that the companies' monopoly and charges were illegitimate. 'Water', he told the Committee, 'must be considered as one of the elements necessary to existence, the same as light and air ...; and therefore its artificial supply to a great city ought not to be the subject of free trade or any kind of trade'. Instead, drawing on an older notion of non-commercial public provision, he held that the supply 'should be profuse rather than merely sufficient and gratuitous to the poor'.²⁶ He tied the interests of ratepayers - which the Association had organised - to the idea of ratepayer control. Water

²² LMA: Acc/2558/GJ/08/072/14. 'St Mary-le-bone Anti-Water Monopoly Association Fund', 14 October 1819. LMA: Acc/2558/GJ/08/072/1: *Report of the Committee appointed by the Meeting of the Inhabited Householders of the Parish of St Marylebone, held at the Yorkshire Stingo Tavern ... on the 14th October, 1819.* From LMA: Acc/2558/GJ/8/72.

²³ These 2 companies had gained the area from Chelsea and New River. LMA: Acc/2558/GJ/8/058: Grand Junction Water Work Company 'Notice', 11 August 1818.

²⁴ Matthias Koop Knight: *HCSC* 1821, p. 97.

²⁵ LMA: Acc/2558/GJ/8/72/4a: Anti-Water Monopoly Association rate form. Quoted in Graham-Leigh, *London's Water Wars*, p. 80.

²⁶ Weale, *Minutes of Evidence of the Select Committee of the House of Commons*, p. 71, quoted in *London Water Supply: Synopsis of Reports of, and Evidence before, Royal Commissions and Parliamentary Committees relating to the Water Supply of London: December 1890* (London: 1890), p. 10.

supply should be paid for by rates and administered by local bodies, in a way similar to the Commissioners of Sewers.²⁷

When in the late 1820s criticism of the water companies reignited, over the issue of water quality, debate again concerned the nature of the public and their rights and duties in relation to water.²⁸ In 1827, John Wright, editor of *Cobbett's Parliamentary History*, published *The Dolphin*, an influential pamphlet protesting at the Grand Junction's new intake or 'dolphin' placed directly opposite the Ranelagh Common Sewer at Chelsea. For Wright, there was a direct link between the bad state of the water, monopoly and the denial of the freedoms of the customer. At a time of heated argument over the abolition of colonial slavery, Wright saw a parallel with water ratepayers: 'those customers ... handed over, by these jobbers in one of God's choicest blessings, from one set of monopolists to another, like so many negroes on a West Indian estate'.²⁹

Writing in 1834, the engineer William Matthews, a supporter of the companies, sought to undermine both Wright's constituency, his 'public', and his intentions. Like the Anti-Water Monopoly Association before him, Matthews argued, Wright was motivated by an attempt to establish a rival company. His efforts had been 'to *alarm*, rather than to *illuminate*, the wealthy and polished residents' of west London. Moreover, given the expense to which parishes had been put in repairing the damage caused by water competition, 'the few individuals' with temporarily low rates had 'enjoyed the trivial advantage at a considerable cost to the whole parish'. Water customers were not synonymous with ratepayers. Drawing a distinction too between the interests of ratepayers and their local government representatives, Matthews denied that a parochial water supply would represent the best interests of the community or lead to lower rates, 'the public having experienced many expensive instances of Select Vestry economy'. Private and public need not conflict. Among those undertakings derived from 'a spirit of enterprise' and risk of capital, water companies were 'conspicuous, both for their public and private utility and convenience'.³⁰ On both sides of this debate, there

²⁷ James Weale, *Mins. Evid. 1821*, quoted in *London Water Supply: Synopsis*, p. 10.

²⁸ In 1815, it had become legal for the first time for sewers to be used for household waste - until now restricted to cesspools - rather than merely for the drainage of surface rainwater. Combined with the rise of the use of water-closets, accelerating after 1815, this had a severe effect on the quality of water in the Thames and Lea. Hardy, 'Parish pump to private pipes', pp. 82-3; Hardy, *Epidemic Streets*, pp. 157-58; Halliday, *Great Stink*, pp. 28-9, pp. 42-45.

²⁹ Wright, *Dolphin*, p. 7. Wright gained the support of Francis Burdett and in 1828 the appointment of a Royal Commission on the London water supply, which recommended the investigation of new sources.

³⁰ William Matthews, *Hydraulia: an Historical and Descriptive Account of the Water Works of London and Contrivances for Supplying other Great Cities, in Different Ages and Countries* (London: 1835), pp. 330-31, pp. 332-33, p. 350, p. 357 (emphasis in original), pp. 373-74.

were accusations of 'confederacy' which, with its implications of conspiracy, sectionalism and unlawful purposes, ran counter to claims to represent a public that was ideally rational, free and economising.³¹

Another of Wright's critics, in the *Westminster Review* in 1830, offered a third view of the public. Embodied here in the figure of John Bull and prone to sudden 'fright-taking', the public had indeed been represented by Wright, but in the process made a fool of. The concern with water was not the natural priority of a householder promoting the health of his family, but the result of an insane 'hydrophobia'. Behind it was a herd instinct: 'this is the way to govern multitudes. Justification, taxation, emancipation, the nation, or Dolphin and poisoning, it is all one: the halloo is given and the dogs follow.' Campaigners could be taken to task for exciting the hordes. Like his followers, the agitator was irrational and ignorant. He was also by no means necessarily a water consumer. While the status of water as a basic need validated calls for reform, the very unpopularity of London water as a beverage could undermine the attempts of water campaigners to speak as consumers. John Bull, the reviewer pointed out, was 'no very violent water drinker', though 'always ready enough to poison himself with gin and compounds'. 'But', he said, 'he is a free man - liberty for ever!'. This tension between demands for life's first necessity and popular ambivalence over water was to remain a feature of discussions of the 'cry of the indignant consumer' throughout the century.³²

Health, Liberty, and Civilisation: Ignorant and Responsible Consumers

The 1840s saw the establishment of sanitarian priorities associated with Chadwickian public health: a focus on the prevention of epidemic or 'filth' diseases through the reform of drainage and water supply. Critical of water companies and favouring a public takeover, Chadwick's approach was associated with a centralizing tendency. The Public Health Act of 1848 - the year of Britain's second major cholera epidemic - established a General Board of Health with powers to enforce the appointment of local boards of health in crisis areas.³³

³¹ Wright, *Dolphin*, p. 7, Matthews, *Hydraulia*, p. 332, p. 350.

³² 'Thames Water Question', in *Westminster Review* (Vol. 12) January 1830, p. 31, p. 33. Cf. Special Correspondent, *The Times*, 29 July 1895, p.

³³ I.e. where the death rate exceeded 23/1000. Boards were to be established also on the petition of 10% of local ratepayers. Christopher Hamlin, 'State medicine in Great Britain', iPorter (ed), *Public Health*, pp. 140-147; Hamlin, *Chadwick* (Cambridge: Cambridge University Press, 1998), pp. 12-13; Porter, *Health, Civilization and the State*, pp. 118-20. Anthony Brundage.

Public health was also situated, however, within a framework of ratepayer economy. As a contemporary report in *The Times* put it, '£20 expended in the sewerage of a blind alley would save £50 to be otherwise raised by the overseers of the poor'.³⁴

While the utilitarian focus on clean and sufficient water in the campaign to eradicate environmental 'filth' contributed to the emergence of a public function for cleanliness, this was often fused with a Christian view of the purifying and life-giving symbolic properties of water and the moral value of cleanliness.³⁵ As teetotal arguments (condemning all intoxicants) gained ground, water began to displace beer as the true 'temperance drink'.³⁶ The Metropolitan Free Drinking Fountain Association (founded 1859), for example, sought to provide filtered company water for the free use of all, an alternative to both the filthy standpipe and the public house. As with the philanthropic and civic provision of public baths and washhouses, the aim was to promote the consumption of water by the poor, for their 'moral and physical welfare'.³⁷ The preventative initiatives of the philanthropist and ratepayer representative could be justified - like those of central government - in terms of a hoped-for 'ulterior saving upon the poor-rate generally'.³⁸

The language of public health reinforced a Christian narrative of water as civilising agent. Cleanliness was next to godliness, and without it, Charles Kingsley, the Christian Socialist, emphasized 'education is half powerless, for self-respect is all but impossible.' Kingsley here did not mean the 'stains contracted by honest labour' which the butcher or worker washes off returning 'at once to decency and comfort, but ... the habitual ingrained personal dirt, where washing is either impossible or not cared for; the dirt which extends itself from the body to the clothes, the house, the language, the thoughts' for the tens of thousands in British cities who 'never dream of washing'. To them, water was not a necessity but still 'a luxury as impossible as turtle or champagne'.³⁹ Writing in the wake of cholera, a writer in the *Edinburgh Review* argued that in future 'an abundant supply of water' was needed to 'wash away the causes of those diseases which are silently but incessantly wasting away the health,

³⁴ Cit. in Asa Briggs, *Public Opinion and Public Health in the Age of Chadwick* (London: The Chadwick Trust, 1946), p. 14. On male premature mortality, see Dorothy Porter, 'Introduction' in Porter (ed.), *Public Health*, pp. 8-9; Porter, *Health, Civilization and the State*, pp. 112-13.

³⁵ For public function, see Hardy 'Water and the search for public health', p. 250.

³⁶ Harrison, *Drink and the Victorians*, p. 57, p. 85, p. 90, p. 294. Teetotalism emerged in the late 1830s and '40s and was distinct from anti-spirits temperance.

³⁷ Earl of Grosvenor MP, cit. in Metropolitan Drinking Fountain and Cattle Trough Association, *Annual Report 1866*, p. 13.

³⁸ Collinson: *Mins. Evid. Select Committee on Metropolis Water Bill*, 1851, pp. 321-22.

³⁹ Kingsley, *Water Supply*, pp. 231-32.

the morals, and the wealth of the community.' Cholera, he pointed out, did not stop at the doors of the rich, whose water had also been contaminated by a leakage from cesspools and gas emanating from sewers. The water question was a reminder of 'the great law which binds the rich and the poor together.' Once the public had a right and a duty to cleanliness, it was a short step to demand that London water be placed in the hands of the Government 'or some public body responsible to the consumers.'⁴⁰

Empowered consumers, however, meant quite specific social and political actors. Water drinkers and water users did not yet perfectly map on to water 'consumers'. There was a tension between a public health notion of universal needs and the dominant political language, promoting a narrower idea of the 'consumer' as a ratepaying citizen, that is, a propertied householder paying local taxes and with rights to local government representation. It was the payment of water rates, assessed - like parish rates - on the annual value of properties, that legitimated users as 'consumers', and it was in this strictly limited and legally defined sense that we encounter the voice of the consumer in the mid-nineteenth century. Consumers, appealing to public opinion or calling for the representation of the public interest, tended to invoke a specifically ratepaying public.⁴¹

Public health discourse, with its identification of health as a source of wealth and welfare, contributed to a new sense of the public function of the consumer and at the same time introduced an asymmetry between consumer interests and consumer knowledge. In contrast to the simultaneous debate about Free Trade, the consumer could be positioned here in opposition to an older, brutish productionist world where the 'consumer was unheeded' and 'men [regarded] only as machines' and their death 'a loss of so much capital.'⁴² Bringing to light this neglected persona required guidance and moral development. In contrast to the currently-familiar hegemonic model of the rational, utility-maximising individual, the new interest in the consumer in the water debates of the late 1840s and early '50s had ignorance at its starting point.

Kingsley, importantly, proceeded by identifying consumers' lack of knowledge. Consumers allowed themselves to be cheated by water companies, paying for water they did

⁴⁰ William O'Brien, *Edinburgh Review*, 1850, cit. at p. 390, p. 399, p. 402. O'Brien was quoted at length by the MPWSA in *The Supply of Water to the Metropolis of the Empire*.

⁴¹ E.g., O'Brien argued that the 'first cost of what is necessary for the public health should be borne by the public, and the amount replaced by an annual rate upon the property.'

⁴² *The Times*, 4 May 1847, p. 5.

not use because it was wasted. '[P]ure and wholesome water' was the end, but 'the consumer [was] not the best judge of this'. This ignorance was 'sufficiently proved by the facts': 'people are often content for years to drink, under the name of water, fluids which physicians know well, and indeed often warn them in vain, to be mere diluted poison'. Ignorant of the new science of public health, the 'mass of water consumers' did not suspect the 'slightest connexion' between disease and the liquid they drank. Kingsley's was an early contribution to the broadening of the social persona of the consumer, in referring to users of standpipes. Poor consumers were doubly hurt by bad 'hard' water: having neither clean nor soft water, they spent more time and wore away more soap and fabric in the process of washing.⁴³ But whatever the costs, consumers here shared a common position of ignorance and apathy. One reason for the monopolistic development and health hazards of the London water system, Kingsley argued, was the dominance of the self-interested, short-sighted shopkeepers and middle classes in local government which deprived the city of the more civic-minded leadership found elsewhere. The power of the water companies and the impotence of the consumer here resulted from a materialist culture and its erosion of public spirit.

Such juxtapositions between consumer (social need and public interest) and materialism (selfish interest and money) are noteworthy for running counter to the individualist and market-based conceptions of the consumer which have structured recent debates about consumption and citizenship.⁴⁴ Interestingly, Kingsley drew directly on John Stuart Mill's *Principles of Political Economy* in his appeal to the ignorant consumer. Unlike J-B. Say and later German historical economists, Mill strongly rejected attempts to identify the laws of the consumption of wealth as the subject of economic science: 'they can be no other than laws of human enjoyment'. But if it was impossible to deny consumption a separate analytical position (next to production, capital, wages or taxes) in an understanding of the economy as a whole, the consumer forced itself prominently into discussions of taxation and the relative merit of market versus government systems of provision. Mill, as is well known, proceeded from a general assumption in favour of non-interference. What deserves emphasis is his asymmetrical distribution of self-knowledge and knowledge of self-interest between different social actors and institutions. The 'business of life' was best performed by those who had 'an immediate interest in it', without interference from meddling

⁴³ Kingsley, 'The water supply of London', *North British Review* (Vol. 15), May 1851, p.231. See also Wright, *Dolphin*, p 8, p. 9. For Kingsley, 'even the hard and soft water controversy is not a mere matter of soap and tea expenditure, but of humanity and morality', p. 253.

⁴⁴ Tony Blair, *Convictions*; David Marquand, 2004; Compass, Consumers.

functionaries or distant agencies. But, Mill asked, 'if the workman is generally the best selector of means, can it be affirmed with the same universality, that the consumer, or person served, is the most competent judge of the end?'.⁴⁵ Mill's answer gives an insight into the cultural and psychological faculties then associated with the consumer, as well as into market imperfections that are still discussed today. In contrast to more recent studies, strongly linking consumption, self-fashioning and self-interest, it is the worker and producer, for Mill, rather than the consumer, who almost naturally generates a well-cultivated investment of self in material goods. Workers have acquired skills and have a strong interest in the results of their work. Consumers may in many cases be the best judge for standard material objects of use – those that supply some physical want, gratify a taste, or are the means of some occupation. But these did not concern Mill's thinking about the consumer here and are left unexplored. The main issue of consumer knowledge and interest applied to those 'things, of the worth of which the demand of the market is by no means a test'. The consumer became of interest at the point where the issue ceased to be one of serving 'the daily uses of life' or ministering to existing inclinations and turned into a civilising project, through the consumption of things that tended 'to raise the character of human beings.' 'The uncultivated cannot be competent judges of cultivation'. Put differently, consumers were a problem, a cultural project for a civilised society, not a solution, unfolding through the price mechanism of demand and supply. Before consumer sovereignty, must come the cultivated consumer.

This association - between the consumer, the underdeveloped self, and the need for the ethical cultivation of higher consumer sensibilities - would become a prominent theme in late nineteenth-century and early-twentieth century progressive politics and social philosophy in Europe and America.⁴⁶ Tellingly, one of the earliest readers of Volume Two of the *Principles*, Charles Kingsley in May 1851 singled out Mill's observations as applying directly to the water supply of cities. Mill had lent his authority to a call for a municipal take-over of London water earlier that year, but the passage in question had developed into a discussion of elementary school education. Kingsley's instinctive connection of Mill's discussion of cultivating consumer sensibilities to an argument for public water reform shows how fluid the conception of water as a material and cultural good was. The mid-Victorian emphasis on

⁴⁵ JSM, *Principles*, Book V, ch. XI, § 7, p.952 in Cannan edn. Kingsley cited the paragraph verbatim and approvingly: 'Water supply', p.230f.

⁴⁶ See especially the influence of John Dewey on approaches to the consumer in the large home economics' movement in inter-war America; e.g. Hazel Kyrk; in France, Charles Gide; in Britain, J. A. Hobson, and for these ethical currents, see discussion in Trentmann, 'Genealogy'.

water as a 'first necessary' and public good did not entail a ladder of needs and wants, in which societal development meant stepping from basic needs to higher wants. Rather, it conceived water, and the consumer using it, in terms of a dynamic cultural process of unfolding civilisation: water fulfilled biological needs of physiological survival but, equally important, in the process, cultivated self and moral conscience and socialised individuals into benevolent members of the community. The future of liberty and constitutional self-government depended on England showing that 'her boasted civilisation and liberty has a practical power of self-development.'⁴⁷

These intertwined themes of self-fashioning and self-government, of strengthening civic engagement and Christian duty were not only literary tropes but provided a language for the political mobilisation of water users themselves. The cholera outbreak of 1848/49 - killing 14,000 in London - was one trigger for the formation of the Metropolitan Parochial Water Supply Association (MPWSA) in 1849.⁴⁸ Starting in Southwark, this Association attracted representatives of 90 parishes at its peak in 1850-51, covering an area of 1 ¼ million people, with 40 vestries petitioning Parliament.⁴⁹ It brought together local officials, sanitary reformers, housing reformers, surgeons, and respectable ratepayers – a broad middle class alliance pressing for the replacement of private monopoly by public – parochial - water management and the introduction of constant supply at high pressure. Sufficient water was a 'primary element of cleanliness, decency, and comfort'. Economic rationale and Christian teaching complemented each other, with warnings of the 'moral slaughter' as well as 'physical devastation' resulting from poor water. Concern for the poor combined with an increasingly assertive sense of the consumer as taxpayer and representative of the public interest. 'Competition, animated by mere selfishness and gain,' the Association concluded, 'has totally failed to secure the necessary advantages of enterprise to the public. The consumer has been sacrificed, that the producer might be enriched.'⁵⁰ As with previously-cited commentators, the consumer here emerged as a legitimating role in a narrative of social

⁴⁷ Kingsley, 'Water supply', p. 252. Kingsley warned readers of the last judgement when their neglect would be punished. See also John Wright, *Memoir* addressed to the Commissioners RC 1828, quoted in Matthews, *Hydraulia*, p. 360.

⁴⁸ Collinson, HCSC 1851. London cholera: Owen, 1982 p. 29. The cholera death rate in the parish of St. George's Church, Southwark was 142/10,000. The lowest in Hampstead was 8/10,000 and the highest was 225/10,000, in Rotherhithe, see O'Brien, 1850 p. 389, cited in MPWSA, p. 9. In the Southwark and Vauxhall Co. water district, 2,880 died: Luckin 1986 p. 81. London's next cholera outbreak, in 1854, was to be traced directly to water from the Southwark and Vauxhall Company (+ Broad St), Luckin

⁴⁹ Collinson, HCSC 1851.

⁵⁰ MPWSA, 'Supply of Water', p.13

development that is the reverse of a more conventional chronology in which the material and discursive unfolding of the consumer appears as a 'modern' development coming after the fulfilment of basic needs characterising 'traditional' society (such as in Engel's famous law of the declining share of food budgets).⁵¹ The MPWSA proceeded from a different starting point. British society was the most affluent in the world, 'piling our golden heaps, and hourly swelling our enormous income' and the 'highest mental and spiritual wants have been satisfied'. At the same time, 'the necessities of the most elementary animal and physical requirements have been neglected or ignored.'⁵² The consumer was called in to tame not to strengthen Mammon.

These 'consumers' were stirred by recent images of cholera and anxieties of divine retribution, but also by the dramatic increase in local water rates. Between 1844 and '51, the price south of the Thames had increased by 30%. Competition between the Southwark and Lambeth companies between 1834 and '42 had kept prices artificially low, as the two companies used discounts to attract customers; some indebted householders had transferred from one company to another avoiding debt payment and being cut off from water in a fashion not dissimilar to the 'bicycling' of debt amongst some credit-card users known in Korea and elsewhere today. This cut-throat competition had come to an end in 1842.⁵³ The ratepayers active in the Association hoped to kill two birds with one stone: public control would provide better service at a lower price. Although they never formulated a precise scheme of public control – something left for organised consumers in the late Victorian period – the principles of consumer representation were clear: a water management board elected by and accountable to ratepayers. Even though the Association's supporters 'would not desire to be fanatical in the bigotry of their total exclusion of the central executive power from participation in the conduct of this undertaking', they stressed 'their conviction that the controlling, taxing, and spending power, should at all events be centred in the hands of the representatives of those who are to use the water, and to pay the expense.'⁵⁴ The consumer was the water taxpayer not the user of water.

The MPWSA's political rationale (and failure) was part of the larger liberal project of creating virtuous citizens by expanding the spheres of local self-government to incorporate

⁵¹ For a critique of this dichotomy, see Appaduriah (ed.), *The social life of things*.

⁵² MPWSA, 'Supply of Water', p. 1.

⁵³ HCSC 1851, 5026 at p.303; J. Simpson: 12691-12721, (pp. 725f.).

⁵⁴ Water Supply, p.4; and see also Collinson evidence 5033: the Association pressed Lord John Russell for 'popular representation; that the persons who consumed the water should have a voice in the management and control of its distribution'.

processes of political participation, deliberation and accountability. Assessments of the capacity for civic public-mindedness of local taxpayers inevitably influenced the nature of, and degree of support for, water reform schemes. In the vestry of St. Luke's, for example, propertied and commercial users of water came together in July 1851, calling for local control. Mr. W. Horne, 'a large consumer of water in trade', insisted that 'ratepayers are quite competent to the management of the water supply. They are generally willing to come forward and take part in parish affairs.' In this district of 55,000 people, it was the vestrymen who spoke on behalf of the health and morals of the inhabitants in their charity estates suffering from poor water. Horne, a Poor Law Guardian, advocated - in contrast to the restriction of the Guardians' electorate to £30 ratepayers and above - 'some new body ... , to be elected by the consumers. [E]very ratepayer should have a voice'.⁵⁵ The growing reflexivity of ratepayers as water consumers, here, benefited from parallel debates and developments relating to the public management of gas supply and the representation of the interests of gas consumers, a group consisting overwhelmingly of commercial users like merchants and shopkeepers.⁵⁶

The Metropolitan Parochial Water Supply Association acted out Mill's vision of representative local government, based on the model of classical Athens. Sanitary reformers, like Chadwick, appreciating the frequently myopic view of local taxpayers, looked to the central state for public investment and services. Both sides shared a view of the water problem as a dangerous sign of 'the abdication of the most imperative functions of citizenship', in the words of the Association. Where they differed was in their estimation of the ability of a property-owning electorate to overcome this apathy. The rights of the 'consumer' could be invoked to underwrite a more ambitious role for tax-payers in local government, but there were other ratepayers to whom the prospect of public management raised fears of spiralling costs and popular demands for more extensive services.⁵⁷ The large

⁵⁵ *The Times*, 10 July 1851, 6 c. The open-ness of the parish vestries was soon to move in the opposite direction with the 1855 Metropolitan Local Management Act, framed by Sir Benjamin Hall of the GBH. This (in addition to establishing the Metropolitan Board of Works) made all vestries into a form of 'select vestry', to be elected by £40 householders and above. D. Owen, pp. 36-7. The parish of St George's, Southwark was, as Edward Collinson stressed, still in 1851 an 'open vestry', with all ratepayers having the right to vote. 1851 HCSC, p. 306.

⁵⁶ Gas consumer cit in Trentmann 'Genealogy'; Daunton 'utility' in Daunton and Hilton, *Politics of Consumption*; and Daunton, *Trusting Leviathan*. For different urban patterns, see Millward, in Daunton, *Cambridge Urban History of Britain*, III. For Mill, see Eugenio Biagini, 'Liberalism and Direct Democracy: J. S. Mill and the model of ancient Athens', in Biagini, *Community and Citizenship*.

⁵⁷ This myopic view was especially pronounced amongst lower middle class ratepayers who controlled many borough councils until the reforms of 1867 and 1869 which enfranchised about 60% of working class men; see

and fragmented nature of local government in London made it easy for private water companies to hang on to their monopolies by playing the latter off against the former.

The debate of the Metropolis Water Bill in 1851 captured this tension between public-minded and self-interested ratepayers and illustrates the up-hill battle faced by advocates of consumer representation. Edward Collinson, a MPWSA supporter and former chairman of the Board of Guardians in the Southwark parish of St. George-the-Martyr, stressed the representative nature of the water reform agitation to the 1851 Select Committee.⁵⁸ A meeting on 11 December 1849, in support of the Association, brought together 137 parish officers from 33 metropolitan parishes. A later town hall meeting in Southwark produced a unanimous requisition signed by 700 inhabitants, 'the largest requisition for a public meeting that ever was known in the borough.'⁵⁹ Yet, how representative were these gatherings of the interests of ratepayers? 'You are aware that there are about 280 parishes in the metropolis, are you not?', Mr. James, one of the counsel for Lord Seymour's Bill, challenged Collinson. Nor was it clear that the parish officers attending were elected representatives of their ratepayers. Collinson's was an 'open vestry' where every ratepayer was allowed to attend, but other bodies were not. And if the Association truly represented the public interest of consumers, James wondered, how was it that in the summer of 1850 the Association had to cancel its activities due to a lack of financial support?⁶⁰

The question of the representative nature of the Association related to the rights of ratepayers and the costs and benefits of public control to both ratepayers and the community

Martin Daunt, 'Taxation and representation', esp. pp 33-39. When the MBW introduced water purchase bills in 1878, a number of parishes joined forces with the water companies in petitioning parliament. St. Pancras Vestry, expressing satisfaction with London's water supply, objected that it was 'likely to entail upon the inhabitants of this Parish in common with those of the metropolis at large, increased pecuniary charges, without any corresponding benefit'. London Metropolitan Archives: Acc/2558/NR13/120: *Session 1878: Metropolis Water Supply Bill: Petitions Deposited in the Private Bill Office against the Bill*. LMA: Acc/2558/NR13/121. *Session 1878: Metropolis Water Supply Bills: Petition of the Vestry of the Parish of St. Pancras*, p. 1.

⁵⁸ See Collinson in the 1851 HCSC, pp. 296-325. In 1858, Collinson was head of the parish Ratepayers' Association and the parish representative on the MBW. Owen, *Victorian London*, pp. 306-08, p. 312.

⁵⁹ 4982, and 4966 for above.

⁶⁰ Most of the Association's support had come from a Mr. James Wyld of Charing Cross (500 pounds), with only 211 pounds coming from parish and other sources. In the light of this 'absence of pecuniary support', the Association refunded Wyld's contribution on 9 July 1850; HCSC 1851, p. 307. The 1851 Metropolis Water Bill – the subject of the 1851 House of Commons Select Committee – was a compromise measure, promoted by Lord Seymour (GBH President) and Sir William Clay (Chairman of both the Grand Junction and the Southwark and Vauxhall Water companies). It proposed to combine the eight companies under the control of central government. This was opposed, as a betrayal of their wishes, by the MPWSA, as well as by Chadwick who advocated the amalgamation of the companies under a professional executive committee. The Act that passed in the following year was less ambitious. Anthony Brundage, *England's Prussian Minister: Edwin Chadwick and the Politics of Government Growth 1832-1854* (Pennsylvania State University, 1988), pp. 146-49. For Clay, see *Dictionary of National Biography*.

at large. If only supported by a minority of ratepayers, how could the Association justify the potentially ruinous burden of a public take-over of the water companies, which were entitled to a 'just price' for their property and rights? Nor was it clear that, once water was in public hands, ratepayers would be willing to spend higher taxes in the short term on much-needed long-term investment in new sources of supply, reservoirs and pipes. Pointing to his parish's overwhelming support for public baths and washhouses, Collinson was convinced that it was '[o]nly [necessary] to show that it is for the public good, and that a future saving may be expected, and it will always be done.' This was an optimistic reading of Victorian local government. As defenders of the water companies inside and outside the committee room emphasized, it had taken the private investment of the companies to generate much-needed improvements in the metropolitan water supply, such as the replacement of wooden with iron pipes.⁶¹ As James Simpson, the long-serving engineer for the Lambeth Company emphasized, poor or deficient supply was often the fault of selfish landlords who failed to furnish tenants with butts or left interior pipes in disrepair.⁶²

The experience of other towns also led to doubts about any positive correlation between consumer empowerment and improvements to the water system. In Derby, Thomas Hawksley - one of the leading water engineers of his day, and an advocate of private enterprise - pointed out, ratepayers had opposed the introduction of constant supply. It was private capitalists who achieved it in the late 1840s.⁶³ Whereas previously the water had been muddy, supplied only a minority of houses and at such low pressure 'that it would not ascend even for the supply of the water closets', private companies now brought the entire town of Derby fresh and ample water at constant supply.⁶⁴ In Reading, meanwhile, the fiscal conservatism of ratepayers defeated the Corporation's planned improvements on drains and sewers. 'The truth is the public are careless about the risk which private capitalists run in the investment of their money, but they are extremely jealous as to any outlay from their own funds.'⁶⁵

⁶¹ 5338-5345.

⁶² 12825.

⁶³ Brundage, *England's 'Prussian Minister'*, pp. 106-07, pp. 146-47. Hawksley was also a member of the London Committee (comprised of civil engineers) of the Private Enterprise Society, which opposed municipalisation and the establishment of boards such as the GBH. LMA: Acc/2558/GJ/09/001. Letters from George Burrell (Secretary, PES) to the Chairman and Directors, Grand Junction Waterworks Company, dated 15 April 1854 and 5 February 1855. For this PES., see also Briggs, *Public Opinion*, p. 29.

⁶⁴ 13549. Constant supply required more secure pipes because of its high pressure.

⁶⁵ 13559. See also Millward, in Daunton, *Cambridge Urban History*, III, pp.

For Hawksley, 'a variety of vested interests have grown up under the present order of things' in London and he felt it 'extremely impolitic to interfere with the existing arrangements'. Indeed, 'the consumers themselves have vested interests' and were a far from homogenous public interest. Water districts had different sources of supply and different material and natural properties (such as landscape and height of buildings) that meant different costs, quantity, and quality of water. '[C]onsumers in the New River district have a vested interest in the cheap supply which the New River Company can give'. West Middlesex, by contrast, was characterised by high levels and consequently more expensive supplies. To amalgamate companies into one publicly-managed body would pitch consumers against consumers - 'Bethnal Green against Hyde Park Gardens'. Here, then, the asymmetry was not between consumer and monopoly, but between different classes of consumers. Critics of the compulsory rate system favoured by reformers like the Association were quick to point out that it would adversely affect the many occupiers of houses which served as both shop and domestic dwelling, as well as other consumers with particular circumstances that assessors of water companies were able to take into consideration.⁶⁶ More generally, proposals for amalgamation raised fears that public control would exacerbate rather than diminish social polarisation. '[Mr. Talbot:] Expenditure for the rich at the expense of the poor? – [Hawksley] Yes.' The voice of the consumer for public control, as expressed by the Association and Mowatt's unsuccessful bill for a 'water parliament' might be little else than a scam by better-off citizens to reap disproportionate benefits from public services – a charge not altogether without foundation as research on health and education under the welfare state suggests.

The idea that the water consumer had a right to representative control and ownership of water had nevertheless by 1850 become an established part of political discourse, though the best means of representation – by parliament, municipality or vestry – remained a matter for debate. While some vestries continued to press for local control over the following decades,⁶⁷ municipal control also became a real possibility with the establishment of the Metropolitan Board of Works in 1855, being taken up with sustained vigour by the LCC (established 1889). In 1880, the parliamentary Select Committee (inquiring into the question of London water purchase, under Home Secretary Sir William Harcourt) opened their report

⁶⁶ Mid-Victorian arguments for public reform and consumer accountability therefore stand in contrast with current consumer campaigns in many European and non-European companies which support or demand differentiated treatment of water users, depending on income and social exclusion. NCC report on water-charging.

⁶⁷ See, e.g., the London Water Supply, Executive Committee of Vestries and District Boards, in The National Archives [TNA]: MH29/15: Letter, 29 January 1891 and 'Memorandum', January 1891.

in words almost identical to those used in 1850 by the engineer William O'Brien and taken up by the MPWSA: 'the supply of water to the Metropolis should be placed under the control of some Public Body, which should represent the interests and command the confidence of the water consumers'.⁶⁸

Expanding Consumer Politics: Identities, Basic Needs, and Waste

If the fear of epidemic disease played its part in mobilising many local officials and ratepayers in London to demand a switch from private monopoly to a more consumer-oriented public policy, the voice of the consumer expressed a liberal language of property, rights and representation. There was no uniform scheme and as Association supporters sympathetic to Mowatt's abortive bill freely admitted, their own campaign had not so much been about any specific scheme for public utilities as about making Lord John Russell and his ministers take into consideration the interests of ratepayers and their demand for pure water and constant supply.⁶⁹ Whatever the legislative failure of these reformers, however, the consumer had moved beyond a descriptive identity - a person exhausting resources - and established itself as a contesting and contested identity in social and political discourse.

There can be little doubt about the improvement in quality of London's water supply in the second half of the nineteenth century, following relocation of the companies' intakes, improved storage and filtration systems, and the transformation of the sewage system in the 1860s, although scientific debates over the analysis of water quality continued, as did popular anxieties about epidemics, eels, and microbes. Scientific 'progress' in chemistry and bacteriology arguably increased late-Victorian sensibilities of risk.⁷⁰ One way of viewing the mid-nineteenth century is as cementing 'the place of scientific procedures and material objects in framing solutions in durable forms', as Patrick Joyce has recently put it.⁷¹ Building on an idea of Bruno Latour's, the Chadwickian revolution appears as a paradigmatic development in '[t]he "black boxing" of sanitation as a matter of science and technology,

⁶⁸ HCSC 1880, p. 1. The SC recommended placing London water under the control of the City Corporation, the MBW and representatives of the suburban bodies within the Water London. 16 years later, Lionel Holland quoted O'Brien's words as evidence of the long-standing nature of general support for the notion public management, 'an unbroken record of favourable expressions of informed opinion extending over a period of nearly half a century'. 'The metropolitan water question', in *National Review* (Vol. 28) November 1896, p. 407, 411, cf. p. 409.

⁶⁹ Collinson, 5009 ff.

⁷⁰ D58 Costello; Nash in D 60; eel stories; Hamlin, Water analysis.

⁷¹ Joyce, p. 69.

separate from the political'.⁷² Patterns of water supply and consumption, however, followed a different trajectory. Instead of durability, water use and access remained fluid and contentious, fuelling political mobilisation and raising questions of political subjectivity and authority. As a political actor, legal entity, and part of an imagined community of users with rights and needs, the consumer acquired a new prominence in the 1870s-90s. These water wars continued certain themes of the earlier period - such as monopoly versus consumer - , but at the same time expanded the social and political body of the consumer through a more extensive contestation of its rights, membership, and needs. As a concept and identity, the consumer was one of the beneficiaries of the new, dynamic democratic culture created by the Second and Third Reform Acts (1867, 1884), the extension of the borough franchise (1867, 1869), and the rise of progressive politics in London.⁷³ The following discussion touches on three areas of this expansion in the 1880s, before moving on to a consideration of needs and waste in the 'water famines' of the 1890s: consumers' successful challenge of the basis for water rate assessment, the invoking of consumer rights by commercial 'consumers', and the activism of Consumer Defence Leagues.

The mobilisation of the consumer as ratepayer needs to be placed in the combined context of the changing *basis* on which companies charged water consumers and of the disproportionate increase in the *amount* of the water tax relative to other goods. Until the mid-nineteenth century, water charges for domestic supply were based on companies' assessments of the probable consumption of individual properties, drawn from such evidence as the number of rooms or, as in the case of Lambeth, the number of chimneys.⁷⁴ Legislation from 1847 and '52 compelled water companies to provide water for domestic supply, but at the same time the companies' Special Acts of 1852 transformed the basis of charges, introducing a new regime of maximum legal rates for six of the companies. These were in the form of a graduated scale of percentages set against 'annual value'.⁷⁵ In London, domestic water rates were based on the value of property rather than on measured consumption – in contrast to some European capitals, like Berlin, where private use was metered.⁷⁶ Importantly, water-

⁷² Joyce, p. 69. Cf. however, Hamlin 1990, on water analysis as an 'idiom for argument'.

⁷³ John Davis, *Reforming London*; Feldman and Stedman Jones (ed.), *Metropolis London*; University of London unpubl. PhD Thesis by A. Windscheffel. Biagini, *Currents of Radicalism*

⁷⁴ Simpson: *Mins. Evid. HCSC* 1851, pp. 731-32; Archibald Dobbs, 'The London water companies. A review and an impeachment', in *Contemporary Review* (Vol. 61), January 1892, pp. 30-31.

⁷⁵ Supply obligation: Water Works Clauses Act (1847), incorporated by companies in 1852 Special Acts.

⁷⁶ The exception here is an Act governing the Southwark and Vauxhall companies which could be compelled to provide water by meter. TNA: MH29/6: Minutes of the Select Committee on Private Bills as to the Southwark and Vauxhall Bill, 8 May 1884: (H. J. Smith evidence), p. 115, 1297.

closets, baths and gardens were excluded from the 'domestic supply' obligations of the post-1852 regime, and continued to be subject to extra charges. Commercial and industrial properties were also assessed separately, and increasingly by meter. The precise meaning of annual value, however, was left underspecified and was variously considered on the basis of annual rental, of different parochial poor law assessments, or of other forms of company assessment. Different companies adopted different sets of rates. This resulted in considerable inequalities in the charges faced by householders living in different parishes and districts. In 1890, for example, the owner of a house of £50 rateable value paid £2 4s. if living in the districts supplied by the Chelsea or the New River companies, but £3 17s. if dealing with the Lambeth Company.⁷⁷ As defenders of the water companies pointed out, however, London water rates were below the charges levied in almost all provincial cities.⁷⁸

Charging on the basis of annual value had enormous financial implications for water companies and users alike: it tied water rates to the tremendous boom in the property market, thus divorcing the price of this natural good from the general fall of prices of other necessities, like wheat during the great depression.⁷⁹ Whatever their material gains from this assessment, it inevitably drew the water companies into political debates about the 'unearned increment' and progressive taxation that began to energise progressive LCC politics in the late-nineteenth century. As critiques of water monopoly pointed out, the growth in site value alone gave the companies an annual windfall of some £200,000 a year, or one fifth of their dividends in 1897, 'for which they have provided no greater advantages to the consumers.'⁸⁰

The post-1852 payment regime became a rich source of controversy and consumer protest from the 1870s, as the legitimacy both of different versions of annual value and of property-based assessments came under fire.⁸¹ Questions of valuation, in turn, opened up a

⁷⁷ Between 1851 and 1891, the average rateable value of houses variously increased by between 70% and 270%. In the Grand Junction Co. district, a house with the rateable value of £76 went up to £105 in this period; in the case of the New River Co. as much as from £37 to £100. TNA: MH 29/15 Met Water Supply, cit. p.19, evidence of S. Wood, Guildhall Inquiry; service charge included one WC in each case.

⁷⁸ e.g. Shadwell, pp. 67-8. Comparisons between rates are complicated by the different way in which water was paid for; e.g. in Liverpool and Manchester water was paid for by a general rate on all property as well as by an additional special trade rate. A. J. Alexander produced comparable statistics for Parliament, reproduced here by Shadwell.

⁷⁹ Note Dickinson's percentage figures, p. 238. In Britain as a whole in the last quarter of the 19th century, population rose by 37%, rateable value by 61%, and rates by 141%, see Millward, p. 329.

⁸⁰ Dickinson, *Contemporary Review*, p. 239.

⁸¹ Even this arrangement by the late nineteenth century was to become a source of nostalgia for water company critics. The campaigning water consumer Archibald Dobbs saw it, in 1892, in terms of 'customary rents': 'experience fixed the rates, and custom sanctioned the payment'. Dobbs, 'London water companies', p. 31. For discussions of the development of 'annual value' rates, see: Torrens, 'Pure water', pp. 107-110; *London Water Supply: Synopsis of Reports of, and Evidence before, Royal Commissions and Parliamentary Committees*

Pandora's Box of confusion and argument concerning the nature of the 'consumer', of 'essential domestic supply', and of the statutory obligations of the water companies. Put simply: who was a 'consumer'? Who had the right to compel the companies to provide water? For what 'domestic' purpose, by what kind of service, and on what basis could companies charge or disconnect their customers?

The repercussions of a legal case brought by Archibald Dobbs against the Grand Junction Company in 1882 reveal the development of the category of the consumer (with rights and responsibilities) as an increasingly contested site between water companies, on the one hand, and propertied water users and ratepayers (mainly middle class, but in areas like London with high property and rental prices, also increasingly clerks and artisans) as well as commercial users, on the other. The long-standing ambiguity over the proper interpretation of 'annual value', either gross annual value or annual rateable value, reflected a fundamental problem in consumer power. 'It was quite evident', the Metropolitan Board of Works explained in 1875, 'why no just decision had been given upon the question, inasmuch as it would not be worth the while of any individual water consumer to go to a superior Court to ascertain what was the real meaning of the term "annual value".'⁸² In 1882 Archibald Dobbs, a barrister with progressive political ambition,⁸³ decided to do what generations of consumer advocates have done since and introduced a test case challenging the method of property valuation. The difference to Dobbs, the owner-occupier of a modest house in Paddington with a 97-year lease, at a ground rent of £15 p.a., was a small saving, £4 per cent on the "net value" of £118 instead of on the "gross value" of £140. The difference to the water companies was the potential loss of several hundred thousand pounds, and an avalanche of litigation from aggrieved ratepayers seeking to retrieve over-payments. Supported by several vestries, Dobbs pursued the case all the way to the House of Lords and won.⁸⁴

relating to the Water Supply of London: December 1890, (London: 1890), pp. pp. 12-13; Dobbs, 'London water companies', pp. 31-37. For Lambeth's assessment, see also Simpson: *Mins. Evid. HCSC* 1851, pp. 730-732.

⁸² *The Times*, 30 Oct. 1875, p. 6.

⁸³ In 1889 Dobbs stood for South Paddington in the LCC election and was narrowly defeated by the moderate G.D. Harris, with less than 100 votes.

⁸⁴ *Dobbs v. Grand Junction Waterworks Company*; Nov. 1883; excerpts of the case and ruling are in Francis Bolton and P. A. Scratchley (eds.), *The London Water Supply* (London, 1884; 2nd edn 1888), pp. 182-88. The ruling stuck and was taken up to challenge assessments throughout the metropolitan area. Lord Bramwell, the presiding judge in the Dobbs successful Appeal, rejected the subsequent general definition of net value as parochial net value. See letters from 'B', *The Times*, 5 May 1884, 6 a, and 12 May 1884 3 f; letter from Archibald Dobbs, *The Times*, 7 May 1884, 5 e; letter from 'B minor', *The Times*, 12 May 1884 3 f; Frank Dethridge, *The Times*, 12 May 1884, 3 f; Editorial, *The Times*, 12 May 1884, 11 c. Torrens' Act of 1885

Other water works companies were quick to decry the Lords' decision 'to go out of the four corners of it', placing an unprecedented construction on 'annual value', but in most cases decided to abide by the new interpretation and revise their rates.⁸⁵ Dobbs became the hero of the 'rate-paying public' and, amidst cheers in public meetings, promised to continue his personal battle to secure the same advantage for 'every water consumer in London.'⁸⁶ A network of Water Consumers' Defence Leagues sprang up all over London. New in the 1880s, these associations had some kinship with earlier ratepayer associations and drew support from prominent vestries, but were distinct from parish-based organisations. A group had been formed Sheffield in 1881 to defend consumers' interests against the Sheffield Waterworks Company and, in the wake of Dobbs, London branches began to be formed between 1883 and 1885, representing Islington, Battersea, 'Clapham, Stockwell and South Lambeth', Notting Hill, Bethnal Green and 'East London'. The main concern was at first annual value, but they were reinvigorated in the mid-1890s by water shortages in east and south London. Holding public meetings and writing letters to the press and distributing handbills, they also managed to gain some support from MPs.⁸⁷ Following the Dobbs case, the Leagues circulated 'Instructions to Consumers', advising them not to fill in company questionnaires and to pay their water rates only on the rateable value of their poor law assessment.⁸⁸ They set up advice bureaus and began to provide legal support for those with grievances against the water companies.⁸⁹ Pressure by the Battersea WCDA and by Leagues in the East End led to reduced rates for members and equitable settling of disputes without

confirmed the basis of valuation in parochial assessments of net value. STILL TBC Letter from Frank Dethridge, *The Times*, 2 Nov. 1888, 14.

⁸⁵ MH 29/6, East London Water Works Company . Cf. SC on Private Bills, on G6, pp. 116f, evidence by H. J. Smith.

⁸⁶ *The Times*, 20 December 1883, 6 e, meeting at Holloway Hall in Islington.

⁸⁷ Supportive MPs included Daniel Grant, Adolphus Morton and Percy M. Thornton. See *The Times*, 16 July 1881, 6 c; *The Times*, 20 December 1883, 6 e *The Times*, 2 January 1884, 6 c; *The Times*, 21 March 1884, 10 c; *The Times*, 19 April 1884 12 e; letter from 'B', *The Times*, 12 May 1884 3 f; letter from Frank Dethridge, *The Times*, 12 May 1884 3 f; letter from 'Battersea Consumers', *The Times*, 17 September 1884 7 c; *The Times*, 30 September 1884, 9 f; letter from W.F.B. Massey Mainwaring, *The Times*, 17 November 1884, 8 a; *The Times*, 24 November 1884, 3 e; *The Times*, 24 November 1884, 4 e; 6 September 1898, 7 f. TNA, MH29/6: Letter from H. Baines of The Battersea Ratepayers Association to LGB and reply 13 February 1884; Letter from Alfred Jelley, Sec. of Southwark and Vauxhall Water Company, 27 February 1884; Clapham, Stockwell and South Lambeth Water Consumers' Defence Association Notice (no date). MH29/8: letter from T.J. Ewing, Hon Sec., Bethnal Green Branch WCDL, to LGB, 20 April 1885. MH29/22: Letter from Charles L. Floris, Hon Sec., Clapham WCDA [originally 'Clapham Ratepayers'] to the Earl of Dudley (and enclosures), 13 August 1895. TNA, COPY 1, 143 folio 165: East London Water Consumers' Defence Association poster, 'The Eastern Question Must Be Settled' (1898).

⁸⁸ TNA, MH 29/6, Clapham, Stockwell & South Lambeth Water Consumers Defence Association, Jan. 1884.

⁸⁹ As in a case in Hackney where Mr. Andrewews [sic], the solicitor to the Water Consumers' Defence League represented an owner who did not want to pay full rates because his seven small houses in Hackney contained several frequently un-let tenements, *The Times*, 24 Nov. 1884, 4 e.

recourse to litigation.⁹⁰ In more affluent areas, like St. John's Wood, propertied individuals were emboldened by Dobbs' success and instructed their solicitors against the long-standing 'robbery' orchestrated by water companies.⁹¹ By over-charging, the companies were violating the property rights of consumers. In other places, water consumers were less fortunate and water companies successfully objected to 'incorrectly rated' values or, where water rates had been lower than the legally authorised amount, managed to raise them.⁹² Still, the proto-Naderite foundations of consumer advocacy had been laid.

The water companies' response to this campaign only reinforced the centrality of the consumer. In correspondence with the Local Government Board and the Wandsworth District Board of Works in autumn 1884, the secretary of the Southwark and Vauxhall Company was in little doubt of the serious pressure these grassroots consumer associations - with their advice to boycott rates - put on the companies. One strategy of the companies was to turn the consumers' public health rights to water to advantage: the Southwark and Vauxhall Company cut off the water supply of those ratepayers who withheld rates, hoping that the sanitary authorities would step in, since these could not allow houses to remain occupied without a sufficient water supply. The Wandsworth Board made it clear it would not do the company's dirty work and that its powers 'should not be used as a means of enforcing payment.'⁹³ The company had experienced unprecedented difficulties in collecting rates, yet quickly realised that to cut off supply in cases of non-payment would only inflame the situation; in a district of 102,781 houses, only 135 had been cut off in the preceding six months.⁹⁴

The weak regulatory setting left, however, plenty of other possibilities for contesting the responsibilities as well as the rights of consumers. Water companies sought to shift the blame for high prices and supply problems onto commercial and private users. The Defence Leagues' efforts to create more vigilant, assertive (what is now called 'literate' and 'confident') consumers met with a counter-attack from companies holding wasteful consumers responsible for water shortages and dirt. Companies sought to drive a wedge through a consolidating consumer interest. Water was delivered filtered in good quality and

⁹⁰ *The Times*, 30 Sept. 1884, 9 f; 2 Jan. 1884, 6 c; *The Times*, 9 Oct. 1884, in a letter O.E. Coope, chairman of the East London Water Company even quoted from a letter of one of the leagues that the company had been 'settling disputes so equitably and fairly as to bring their ... functions to an end'.

⁹¹ E.g. John Trotman of Acacia Road in Regent's Park, *St. John's Wood / Hampstead Advertiser*, 29 Oct. 1885: Trotman who sought to reclaim the difference of £ 23 paid to companies over 35 years.

⁹² E.g., MH29/8 for an attempt by the Chelsea company to raise parochial rates, 24 June 1885. Shadwell, p. 66, notes the contradictory effects of rate adjustment.

⁹³ 14 Oct. 1884, Board of Works to Harcourt,emphasis in original.

⁹⁴ MH29/7.

quantity. Contamination was the result of those consumers who kept their cisterns and tanks in a 'disgusting and filthy state', agreed Frank Bolton, the Local Government Board's Water Examiner.⁹⁵ Alongside the historical evolution of the consumer as a propertied taxpayer with rights was an emphasis on the 'apathetic consumer'.⁹⁶

Another of the companies' strategies was to recoup declining profits from average householders by turning the screw on rich owners and commercial users. Dobbs' case had especially mobilised a sense of shared consumer interest amongst modest householders, who paid a disproportionate amount in the regressive scheme of water rates. After Dobbs forced a revaluation of these rates for domestic supply, the New River Company raised the rates in the City. A committee of 'aggrieved occupiers' was quickly formed. Wealthy firms were consumers too, they argued. The case of Cooke, Sons & Co. versus the New River Company hinged on the very question of who was a consumer and who was not. Cooke owned a six-story warehouse in the New River district. He had been paying for the use of a hydraulic lift by meter, but by rate for 'domestic' uses of water, such as cleaning and toilets. In 1887 Cooke sought to discontinue paying rates as a 'domestic dwelling house' and demanded that all his warehouse water be classed as non-domestic and therefore metered. The company, however, argued that if Cooke no longer claimed to be using water for domestic purposes, payable by rate, he ceased to be a consumer under existing legislation and had no right to demand supply or meter. The legal decision was complicated. As Lord Herschell, who eventually held judgement in the 1889 House of Lords appeal, noted 'it has been my lot to attempt to construe many Acts of Parliament which were obscurely worded, but I do not think I ever met with one upon which it was more impossible to put a satisfactory construction'.⁹⁷

The New River Company's Act (1852) had left the nature of consumers and their entitlement ambiguous,⁹⁸ and Cooke eventually lost. What mattered historically, however, was that the dispute over entitlement to metered supply revealed the widening social functions of the language of consumers and their rights and expectations. In the social and political imagination, the active consumer became a much bigger beast than in the legal ruling.

⁹⁵ TNA, MH 29/5, 'Notice to Consumers and Sanitary Authorities', East London Waterworks Company, 2 Aug. 1883. The Water Examiner was appointed under the Metropolis Water Act of 1871. Many waste pipes were still in direct communication with the sewers, and allowed gases to flow back into the water.

⁹⁶ TNA, MH 29/5, Monthly Report by Frank Bolton upon the Water supplied by several Metropolitan Water Companies during July 1883: company investment of over £ 2,5 million for water improvement he found to be have been 'rendered nearly abortive, and of little value by the continued apathy and carelessness of a great number of the consumers', pp. 1 f.

⁹⁷ The Judgement is reproduced in Dobbs, pp. 12-22, cit. at p. 14.

⁹⁸ Section 35 versus section 41.

Effectively, Cooke had turned to the identity of the consumer as a way of extending to commercial users the rights of private consumers to a secure water supply, without which firms like his were at the mercy of water companies fixing or terminating agreements at their pleasure. Against the tight legal definition, consumer advocates, like Dobbs, began to champion more 'common sense' definitions of the consumer.⁹⁹ Significantly, this involved at first only a partial broadening of the social characteristics of the consumer. If pressed 'an absurd length', Dobbs said, 'it might be taken to mean the whole human race', but given the 'necessary circumstances', it excluded 'infants', lodgers', 'non-householders', paupers' and 'lunatics' (house-holding women are not mentioned here). Property and ability to pay remained essential.¹⁰⁰

In the context of continuing fears of epidemics and concern over water shortages, the propertied conception of the consumer itself became more socially inclusive, as questions of private rights became again fused with concerns for public welfare, and the political mobilisation of the consumer created new social solidarities across class. When a mechanic walked into the offices of the Water Consumers' Defence League in High Holborn in 1887, it was found that his charges (at £2 2s per year on a house he rented at £37) were nearly double the legal rate. '[W]ater consumers [are] placed ... between two fires', one Massey Mainwaring wrote to *The Times*: 'water at an exorbitant rate, or no water and the dread of cholera'. Here was a consumer, who expressed his sympathies with the mechanic and had also consulted the League office, from a very different social background: his rates had been raised from £16 16s. to over £20 16s.. The consumer now linked rent-paying tenants to inhabitants of Belgravia.¹⁰¹

Complaints and legal action by tenants suggests a growing sense of entitlement and consumer awareness amongst social groups who did not formally qualify under the dominant legal and political-fiscal rubric of consumers as ratepayers. The status of non-ratepaying tenants had always been precarious in an arrangement that had made service dependent on the landlord's payment of rates to the water companies – or to the middling agents to whom rent collection had been farmed out. In the short term, Dobbs' decision put quite a few vulnerable tenants at risk, for his success sometimes encouraged landlords to enter into disputes with companies on precarious grounds. In the long-term, however, such cases helped to diffuse

⁹⁹ Dobbs, p.

¹⁰⁰ Dobbs, __1890, pp. 33-4.

¹⁰¹ W.F.B. Massey Mainwaring

more ambitious views of the obligations of companies to those using water. R. Hayward of West Ham, for example, rented out 39 houses, and in the eyes of the East London Company was 'one of those perverse Landlords', with 'passions ... enflamed by the Agitators and their "Leagues"', who erroneously believed that the parish assessment was the basis under the Dobbs' decision'.¹⁰² When the company threatened to cut off the water because of his year-long refusal to pay the rate on the basis of the company's valuation, Hayward took his case to court, stressing in a letter to the Home Secretary (W. V. Harcourt), that the company was threatening to use the indefensible weapon of depriving 170 people, 'no parties to the dispute, of an element alike necessary to health and Existence.'¹⁰³ Increasingly, non-ratepaying tenants asserted their own rights. Paulet, a weekly tenant, was given notice to quit by his landlord, who paid the water-rate. When he refused to leave, the landlord instructed Chelsea Waterworks to cut off his supply, which it did. Paulet protested, invoked the Water Companies Act (1887), and had the company fined by the police magistrate: 2s. for each day of non-supply. Paulet eventually lost, but there can be little doubt of his own sense of right as a consumer.

The weak and initially narrowly-defined powers of consumer complaint became increasingly unable to constrain this expanding social conception of the consumer. One part of the weak regulatory setting was a complaints' procedure (established in 1852) that required a minimum of twenty signatures from 'inhabitant householders' to justify a complaint against charges or insufficient supply to enable the Local Government Board (LGB) to act. 'Water famines' from the 1870s to the 1890s produced memorials to the LGB from Kensington and Regent Street to the East End, and frequently included people other than householders. In September 1896, for example, tenants and householders in the Lambeth district submitted a memorial against the company for its failure to supply. As the company pointed out in painstaking detail, describing the precise housing circumstances of each complainant, the protest should be inadmissible as fewer than twenty of the signatories were ratepaying householders. W.T. Bruce, one of the memorialists, protested to the LGB that he and nine others may not be paying rates directly to the company, but, after all, had water rates included in rent, enclosing in his letter a photograph of his fellow tenants in front of their homes as if

¹⁰² MH 29/7; The water company emphasized it had provided his tenants with free water for ten months.

¹⁰³ TNA, MH29/7 to Harcourt, 16 October 1884; for the court: *Daily Chronicle*, 16 October 1884.

challenging the invisibility of compounded water ratepayers.¹⁰⁴ Significantly, the list of memorialists included several other male and female non-ratepaying tenants, like Mary Brown, whose rates were paid by a Mr. Edwards, or Mrs. Clarke and other tenants who were living in a building supplied by meter under contract with the National Model Dwellings Company. Attempts by the water companies to exploit such technicalities were increasingly considered to be in poor taste and questionable by government officials.¹⁰⁵

The contestation of water left behind an enriched sense and symbolism of the consumer as representation of the public interest. In the early-nineteenth century, the debate between supporters and critics of the private water companies could invoke the 'rate-paying public' or the 'health of the public'.¹⁰⁶ Ratepayer mobilisation in the 1850s and 1880s had the effect of expanding the social universe and public imagery of the consumer. Mobilisation could be spontaneous, triggered by the sense or experience of scarcity, and fuelled by a distrust of monopoly communicated through a broadly liberal tradition of freedom. By the late-nineteenth century, the language of the consumer began to be invoked not just by householders, but by water users more generally, from Kensington to the East End. Cardinal Manning, a leading temperance reformer, campaigned for public controls and appealed to working men and their families as well as to ratepayers.¹⁰⁷

In 1895, 1896, and 1898, many parts of London were gripped by a series of 'water-famines', producing an unprecedented degree of protest that crystallised assumptions about the identity and knowledge of the consumer. Shortages were most severely felt in east London, where the preponderance of poor and working-class water users ensured the broadening of the terms of the water consumer debates. The 700-strong Bromley Branch of the Union of Gas Workers and General Labourers pressed the LGB in August 1898 to compel the East London Company to keep the water running for more than six hours a day since the 'poor' had no cisterns to supply their WCs after the water was turned off, 'thereby creating a danger to our wives and children.'¹⁰⁸

¹⁰⁴ TNA, MH 29/23, W.T. Bruce to Assistant Secretary, LGB, 26 June 1896. Compounded ratepayers had local rates included in the rent.

¹⁰⁵ TNA, MH 29/4, Park Lane memorial, 20 July 1881; Regent Street residents' complaint to Dodson, pres. Of LGB, 22 July 1881; W.W.G (LGB) advice to John Lambert, 22 July 1881; Grand Junction Water Works Company to LGB, 3 Aug. 1881; Medical Officer of Health in Paddington to LGB 4 Aug. 1881.

¹⁰⁶ The Dolphin, p.8; Hydraulia, pp. 332f pitching the public interest against the anti-water monopoly association.

¹⁰⁷ Asok Kumar Mukhopadhyay, *Politics of Water Supply: The Case of Victorian London* (Calcutta: World Press, 1981), p. 39.

¹⁰⁸ TNA, MH23/33, 23 Aug. 1898.

In Hackney, ratepayers called a meeting in September 1898 to protest against the East London Company's 'criminal neglect of the consumer' in restricting supply to four hours a day. The local chairman hoped there would be no deaths as a result of the water famine, but contemplated that 'some of the directors (a voice, "All") might be charged with manslaughter. ("Serve 'em right.")'. This agitation attracted an overflow outdoor meeting of over 1,000.¹⁰⁹ The East London Water Consumers' Defence Association pressed for the municipalisation of water and called on consumers to boycott local taxes for water not supplied. Radical imagery showed the water monopoly as a rocky skull propped up by 'Capitalism' and 'Government Acts', with helpless women, men and children, squashed by cholera and typhoid, waiting for Moses to strike water from the rock with his rod, 'Municipal Control'. Moses the 2nd is cheered on by a worker whose side-pocket holds a paper: 'Public Opinion' (see Appendix).¹¹⁰

In political discourse, at the same time that the consumer became socially more inclusive of non-ratepaying working people and the poor, it became newly exclusive in challenging the claims of rich commercial users. The 'famines' pitched un-metered domestic users against metered commercial users. There was a widespread popular suspicion that, at times of scarce supply, water companies favoured users who paid by meter, at the expense of domestic consumers, who paid through rates, irrespective of the volume supplied.¹¹¹ Progressive ideas, with their fiscal logic of taxing the unearned increment, challenged an older usage by which ratepaying firms could appeal to private ratepayers with a sense of a shared interest as consumers. The interest of commercial or super-rich users in paying only for the water used – as in the Cooke case - in this context ran counter to the progressive interest of using the water rate as a progressive tax to provide future municipal services for the common benefit. As William Torrens (promoter of the 1885 Water Rate Definition Act) complained,

¹⁰⁹ *The Times*, 6 Sept. 1898, 7 f.; The chairman of the vestry was Tom Hosgood.

¹¹⁰ 'The Eastern Question Must be Settled' (1898), East London Water Consumers' Defence Association, poster in TNA, COPY 1, 143 folio 165. The battle over water eventually led to the establishment of the Metropolitan Water Board in 1902, a Conservative triumph that included representatives from outer and inner London on the board, with favourable terms of arbitration for the companies, defeating the hopes of liberal reformers hoping for a municipal management of the water supply in the hands of the London County Council; see Mukhopodhyay, *Water Supply*, chs. 3, 4. For ratepayers' associations' growing rebelliousness, see Avner Offer, *Property and Politics, 1870-1914: Landownership, Law, Ideology and Urban Development in England* (CUP, 1981), pp. 295 ff.

¹¹¹ Jonathan Harris, *Daily Chronicle* 22 July 1895; Harris was a solicitor who felt that the water companies provision of metered commercial and public users was 'nothing short of a robbery' and offered domestic consumers free legal advice. See also John Kyffin, in *Daily Chronicle* 22 July 1895; Samuel Montague, M.P. at Toynbee Hall, *The Times*, 31 July 1896, 10 e. Henry Buck to *The Times*, 3 Aug 1896, p.6 c; The East London Water company repeatedly had to reject this charge, Crookenden letters, *The Times* 24 Sept 1895, 3 g, 31 July 1896, 10 e.

an outcry has been lately raised by the owners of luxurious mansions, great warehouses, and improved chambers and offices, that they should be remitted their fair share of the general burthen, and be taxed only for as much as will suffice for occasionally washing their hands or may enable the housekeeper to boil a solitary kettle. Short-sighted selfishness never made a more wrong-headed demand. A water-rate according to property and income, not according to poverty and privation, is one of the justest and wisest burthens that any community can bear.¹¹²

The rich, too, had an interest in healthy tenants, advocates of ground values argued. Defenders of water companies responded that the graduated system of rates in poor areas like east London and Southwark meant that already 'the rich pay for the poor.'¹¹³

The consumer was moving in the direction of the private end-user, but as in economic writing, so in popular politics it is important to recognise that this movement was neither linear nor complete by the turn of the twentieth century. The poor and working people were not only private end-users, but, as social reformers pointed out, in many cases, ran a small business from home. *The Times*' Special Correspondent wrote of the hardship of a Jewish family in Whitechapel during the summer of 1896. Here was a 'respectable-looking couple' with 'children well kept', who filled their baths and additional casks from a tap in the backyard – 'the usual arrangement' – to catch the intermittent supply of water. Their 'real grievance' was that they needed constant supply to operate a small lemonade business for which they had a patent machine connected to the main.¹¹⁴ Intermittent supply interfered with their business, receiving irregular orders which had to be executed as they came in. Thousands of laundrywomen, fishmongers and other small traders, mixing domestic and commercial premises, were similarly affected by intermittent supply.

The coming of consumer society is conventionally associated with a bifurcation between a domestic female world of consumption and a public, male sphere of production and commerce,¹¹⁵ but the politics of water consumers are a reminder that, for a significant group of individuals, the domestic and the commercial were still inextricably tied together in terms of the sense and practice of consumption in the late-nineteenth century. It is important to note, however, an aspect of the public/private divide that structured and restricted the identity

¹¹² Torrens, 1890, p. 111. See also Stuart 1889 and Costelloe

¹¹³ Shadwell, p. 68, p. 69.

¹¹⁴ *The Times*, 3 August 1896, 6 f.

¹¹⁵ For the gendering of consumption see the revisionist study by C. Beward, *The Hidden Consumer*

of the 'water consumer' during this period: much of the actual consumption of water 'for domestic purposes' taking place in all households – cooking, laundry and the myriad tasks of domestic and family cleanliness - was carried out by women. Like Charles Lyel, whose wife, he said, had to preserve scarce water in the bath for 'the requirements of the servant and her assistant in the scullery', male householders in the water consumers' political arena spoke in place of their wives, mothers and daughters and, of course, where they had them, servants.¹¹⁶ Female water users occasionally expressed their grievances (within memorials to the LGB), but in most cases it was male ratepayers and tenants who expressed the domestic interest of the consumer.

The Fluid World of Basic Needs

Water is one of the clearest examples of an 'absolute' need – necessary for life - , distinguishable from a whole range of needs that are dependent upon circumstances, or 'relative' to ways of a specific society.¹¹⁷ Nonetheless, with the infinitely varied nature of practices of water consumption, changing across time and space, it is obvious that water is about both kinds of need. Needs can also be said to be defined by a sense of social obligation and the customs of a community. They require a shared sense of what harm is to be avoided. From a perspective of 'universal needs', water may be an essential 'intermediate need', required to provide the health and autonomy necessary for individuals to participate in the active life of society.¹¹⁸ What happens when the shared values underlying the concept of needs are rapidly and unevenly changing in a society like Victorian Britain? The 1847 Waterworks Clauses Act and the 1852 Special Acts represented an important step forward in terms of consumer rights in defining the private water companies' public obligation to provide a 'sufficient supply of water for domestic purposes' against payment.¹¹⁹ We have already considered some of the difficulties caused by this restriction 'against payment.' But, more generally, what was considered 'sufficient', what were 'domestic purposes', and who was 'the consumer', able to invoke consumer rights? As we have seen, these were contentious notions, and, if the social and discursive contestation of such categories responded to the legal

¹¹⁶ Letter from Charles Lyel, *The Times*, 30 July 1895, 3 d. The 1895 and '96 reports of *The Times* Special Correspondent have numerous descriptions of East London women using water in their daily routines in conditions of scarcity.

¹¹⁷ Alan Ware and Robert E. Goodin, 'Introduction', in A. Ware and R.E. Goodin (eds.), *Needs and Welfare* (London: SAGE Publications, 1990), pp. 1-2.

¹¹⁸ Doyal for a strong argument for universal needs. For needs as discursive constructs, Laclau and Mouffe.

¹¹⁹ E.g. the New River Act 1852, Section 35. Cited in Dobbs, ___ 1890 p. 20.

framework that had defined rights and obligations, the dramatic shifts in the cultural evaluation and practice of water consumption in Victorian Britain also guaranteed that notions of 'sufficiency', 'necessity', and 'domestic' would be used in turn to question the legal framework. Similarly, the social constitution of needs - entailing in the case of water a constant oscillation between absolute and relative needs - meant that consumer advocates and water companies alike were always part of a dynamic field in which basic needs and interests were up for grabs as people's access to and use of water, as well as their sense of entitlement were changing.

Cows and bathtubs provide two illustrations of the problem. Water companies accepted their obligation to supply domestic need according to fixed rates, but at the same time strove to preserve a narrow definition of essential domestic supply. First, the case of Thomas Tubbs in 1840. Tubbs was a cow-keeper in the New River district. When the company, supplying him with an hour of water three days a week, discovered he was using the water to feed his cows, they raised the charges. Tubbs refused and asked for a compromise, but the company compared their water to his milk, which he was 'not bound to supply'. Tubbs argued that the company was "bound to supply us with what water we require, and at a fair price."¹²⁰ The cow-keeper and the company then engaged in a well-digging competition which Tubbs ultimately won, with the deeper well and his own water supply.

There were no cows in the conflict between Mr. Brooks and the Sheffield Waterworks Company, but the dispute over his bath was no less heated. Brooks occupied a house in Sheffield with a bath piped from the house cistern. The company insisted he install a meter to measure the bath water, but Brooks insisted that he had already paid the specified amount for 'family use'. The waterworks considered 'family use' to cover water for drinking, and use in the kitchen and water-closets (WCs) only. It cut off the communication pipe, refusing to supply Brooks until he disconnected the bath waste pipe. Eventually, the courts held that the company had no right to insist on a meter and should restore supply, but only once Brooks had restored the communication pipe.¹²¹

Was water a commodity or a necessary? And when were water companies allowed to charge additional rates for consumption and enter or dissolve commercial agreements and

¹²⁰ This case was said by Mr. Baillie Cochrane of the Metropolitan Sanitary Commission to have taken up almost ¼ of the Lords' Blue Book in 1840: 3 Hansard Volume 117, c. 462, 5 June 1851, cit.

¹²¹ Bolton and Scratchley, p. 199.

when were they compelled to provide users for 'domestic use'? The case in Sheffield was the tip of an ice-berg – perhaps rather the bottom of the tub – of an on-going and expanding series of conflicts between consumers, increasingly reliant on integrated WCs and baths in their homes, and companies that fell back on legislation drawn up before the bathtub became a customary middle-class convenience. In 1881, a Sheffield Water Consumers' Defence Association was formed to assist a middle-class consumer (occupying a house rented at £140) being sued by the Sheffield Waterworks for refusing to pay an additional 30s. a year for his bath. Like many water companies, the Sheffield company was able to draw on sections of an earlier special Act (1853) which separated an obligation to 'furnish a sufficient supply of water to every inhabitant occupying a private dwelling-house' from additional uses, ranging from 'schools, manufactories, dyers, printers, bleachers, brewers, innkeepers, livery-stable keepers' to 'persons requiring a supply of water for baths, ponds or pools, or closets, or for washing carriages or for cows or horses, or for the purpose of any trade'. The Defence Association insisted that baths must be interpreted as 'public baths'. The Court disagreed and asserted the right of the company to an extra charge in cases where more than 1,000 gallons were used for the purpose of a bath.¹²² Bingham was not happy. Grudgingly accepting the separate charge, he now chose to pay by meter for his bath water. But who had the authority and responsibility to provide a meter and measure accurately? The special Act was silent on this issue. Bingham felt the company should pay. The company felt this was a cost the consumer had to bear and issued an injunction restraining Bingham from taking any water for his bath in the meantime. The company won.¹²³ Several hundred pounds the poorer, Bingham returned home where he lived in two distinct water worlds: paying a fixed *rate* for his 'domestic' needs, irrespective of how many gallons he consumed, and paying by a special (or, as consumer advocates maintained, 'arbitrary' or 'commercial') *measure* for his 'extra' use of bath-water. Water, then, had an indeterminate, hybrid nature. 'Domestic' entitlement to water was not determined by the article, but by the purpose or practice relating to particular equipment.

London water companies were just as eager to retain their right to levy additional charges. Several companies, like Southwark and Vauxhall, Grand Junction, and Chelsea, also charged an 'extra toll' for every tap more than ten feet above the pavement, a rule that meant that many industrial tenements or houses with steps to the front door were denied the basic

¹²² *The Times*, 16 July 1881; Sheffield Waterworks Co. v. Bingham.

¹²³ Case is summarised in Bolton, etc., p. 159 f.

'domestic purposes' tariff.¹²⁴ 1848 legislation required new houses to have water closets, but many water companies applied extra charges, retaining a definition of 'domestic use' from an era before the widespread installation of WCs.¹²⁵ There was a running conflict, then, between legal, commercial, and political interpretations of changing needs. To the Lambeth Company, a WC was not part of 'domestic purposes' in houses valued at over £20 a year; they charged 10s for the first WC, and 5s for every other. In most areas of London, occupiers of houses up to £30 did not pay for their WC, those above that threshold paid 4s. or more. But, as the LCC Progressive and barrister B.F.C. Costelloe pointed out in 1895, such charges were 'extortionate' and 'arbitrary' in denying that baths 'whether fixed or moveable ... are used for that most domestic of all purposes, the pursuit of personal cleanliness.' Baths, water-closets and gardens became a focal point in on-going battles between water companies, sanitary authorities and water consumers in the increasingly difficult task of expanding supply to meet dramatically changing water use. The 'water famines', as we shall see, were the climax in the fraught relationship between, on the one hand, consumers' growing sense of need and increasing use of water inside and outside the home, and, on the other hand, companies under pressure to find new water sources to supplement unreliable and declining sources, and to increase storage capacity.

How much water did the Victorians consume? This is a question impossible to answer reliably: the only available data is for water supplied (rather than consumed), and water districts were not co-extensive with those of the population census. Viewed from the supply end, the supply of water kept pace with the extraordinary expansion of the metropole in the mid- and late-Victorian period. Long-standing water consumers might complain of the strains imposed by companies' never-ending growth, taking on 'new consumers' at the apparent expense of the old,¹²⁶ and expanding companies like the East London were undoubtedly sufficiently stretched as to be thrown into crisis by the succession of what they termed 'unnatural droughts' between 1887 and 1898.¹²⁷ In 1867, according to one set of contemporary figures, the daily supply from the Thames, Lea and wells was 98.6 million

¹²⁴ Thus in Woolwich and Plumstead, a person occupying a house valued at £9 a year had to pay 6s. for one bath; a house at £10, 8s., and a house over £20, 10s. or more. 'Even in the smallest houses, the Kent Company charges 5s. for more closets than one.' Costelloe, pp. 815f.

¹²⁵ The Metropolitan Sewers Act. See Halliday, pp. 48-49. See Martin Daunton on the 'hierarchy of sanitary conveniences' from middens to WCs, 1983, pp. 230-32.

¹²⁶ *The Times*,

¹²⁷ On population expansion, see Hardy '91, pp. 89-90, p. 92.

gallons, for an estimated population of 3.1 million (31.8 gallons per person), and by 1890 it was over 175 million gallons for a population of 5.6 million (31.2 gallons per person).¹²⁸

Overall quantities of water supply were estimated from the number of strokes made by pumping engines in relation to pump capacity. In 1891, total supply for domestic and trade purposes stood at 32.7 gallons per person per day. Engineers calculated that roughly 20% of total supply was used for trade and public purposes, leaving about 26.2 gallons per person for domestic use.¹²⁹ There are no leakage figures for this period, but it is likely that more of the water pumped in 1890 reached consumers than in earlier decades, since by now 60% of houses had access to constant supply, a system that benefited from a variety of efficiency gains.¹³⁰ Still, even if we presume a high leakage rate of, say, 40% - total leakage in England and Wales at the time of writing is 24%¹³¹ - this would mean that the average Londoner in 1891 was able to consume over 15.7 gallons of water per day or roughly half the consumption of the average person in England and Wales today.¹³² Put more dramatically, late-Victorian Londoners were able to consume as much water as the average Briton in 1960 – only then did water consumption begin a steep ascent, driven by modern appliances, and, more recently, power-showers.¹³³

The water wars did, however, lead to interesting debates and speculations that reveal the competing and shifting notions of 'normal' water use in the second half of the nineteenth century. Whereas the quality and price of water had dominated early nineteenth-century debates, access to 'sufficient' or 'ample' supply for the broadening set of needs of civilised life joined cost as a dominant concern in the later period. The Liberal MP Francis Mowatt was

¹²⁸ Pole, *Quarterly Review*, Table at p. 78

¹²⁹ In their figures for population supplied, companies tended to exaggerate numbers slightly in estimating the number of households on the basis of separate supplies. Company figures for 1891, for example, estimated a population of 5.49 million, whereas the Registrar-General's estimate (for Lord Balfour's 1893 Royal Commission) revised this downwards to 5.24 million. Balfour, Royal Commission, p.15. Even in 1900, moreover, company and (LGB) Water Examiner estimates of 'houses, etc. supplied' still included those houses without individual supply, but with access to a shared standpipe. Hardy 1991, p. 78, p. 85.

¹³⁰ On these see Torrens, *Macmillan's Magazine* 1879, and see Bolton's discussion of the efficiency gains from constant supply.

¹³¹ 3,632 MI/d total leakage of a distribution input of 15,394 MI/d [1 megalitre per day= 1,000,000 per day], OFWAT, Security of supply, leakage and the efficient use of water, 2002-2003 report, p.34. Note, the 2002-03 leakage amount is 30% lower than the peak in 1994-95, equivalent to the 'daily needs of almost ten million domestic consumers', *ibid.*, p.17.

¹³² With a meter: 137 litres or 30 gallons per day. Without a meter: estimated at 150 litres or 33 gallons. OFWAT, 2002-2003 report, tables 12, 13, pp. 38f. 1891 numbers: based on totals given in Balfour Royal Commission.

¹³³ Water supply in England Wales shot up from 10,600,000 MI/d in 1961 to peak at 17,000,000 MI/d in 1995 (before starting a decline to reach 15, 500, 0000 MI/d in 1998). We would like to thank Elizabeth Shove as well as the environment agency for assistance with numbers, esp. Olivier Barthelmy for historic distribution input figures, and Helen Robinson, for typical household use numbers.

one of the early critics of the separate charging system for modern sanitary conveniences. He had attacked the 1852 Special Acts for giving companies the power to

demand a specific and separate payment for each water-closet, and each bath in every house, amounting in many instances to no less than 10s. for each of these necessities of civilised life; a sum so large that it would have the effect, doubtless, in numerous cases, of compelling the inhabitants to deny themselves the use of these conveniences, so absolutely indispensable to cleanliness, health, and decency. Just let the House reflect ...on the impolicy, the cruelty, he might say, the inhumanity of such a tax as this!¹³⁴

Instead of a 'tax on health and decency', water should be supplied at the 'cheapest possible rate' to all inhabitants of the metropolis.¹³⁵

If there was growing opposition to the arbitrary and uneven ways in which different water companies dealt with the needs of domestic users, there was also growing awareness of the larger provision of water in other international cities. The Tower Hamlets MP, LCC member and barrister Lionel Holland repudiated commentators who had the 'courage' to suggest that even during the water famine of 1895 East Londoners, with fifteen gallons per head, per day had sufficient provision for household use. The 'Londoner has no cause for boasting', he said, comparing average London supply (38 gallons) with Washington (154), Marseilles (99), New York (84), Hamburg (52), Glasgow (50), or Paris and Dublin (47).¹³⁶

The Times' Special Correspondent, investigating consumer waste and hardship during the summers of 1895 and '96, claimed it was deceptive of Londoners to complain of a water 'famine' when they still had '30 gallons a head of intermittent supply, exceeding the municipal supply in Birmingham (26 gallons), Manchester (24) and Nottingham (21.7). People in Norwich had to do with a mere 12 gallons per head per day, '[y]et we hear of no water "famine" in these towns'.¹³⁷ A daily 'general allowance' of 15 gallons was 'not only sufficient, but as much as can be used for legitimate purposes – that is, washing, drinking, and

¹³⁴ Hansard 17 June 1852, at 853

¹³⁵ Mowatt cited the example of America. Even in Croydon (on the outskirts of London) where a local board provided water it was half the average London rate. *Ibid.*, 858, cit 853, 860.

¹³⁶ Holland, p. 413, citing figures by Henry Ward. Lionel Holland MP (1865-1936) was LCC member for Westminster, 1895-1898, and MP for Bow and Bromley Division of Tower Hamlets, July 1895-1899. He was the Hon Sec, London Municipal Society. He was also the son of Henry Thurston Holland, Viscount Knutsford, (1825-1914), a director of Grand Junction Water Works. *Members of the LCC*, p. 8; *Who's Who in Parliament*. Knutsford as director: TNA MH 29/4: Report of Directors, 15 Dec. 1880; HL debate *The Times*, 19 May 1898, p. 8.

¹³⁷ *The Times*, 6 Aug 1895, 10 b.

sanitation.¹³⁸ 'Municeps' (attributing, like many others, the paradox of consumer complaints of hardship in the midst of all this apparent plenty to company leakage), went as far as to propose that 'as a matter of fact ... it is not possible, even by means of high pressure and unrestricted supply, to induce any average population to consume usefully and abusively, for domestic purposes alone, as much as one half the 30 gallons a day' which the East London Company distributed.¹³⁹

The Special Correspondent and others sympathetic to the companies angered those who blamed the monopoly for water shortage, in appearing unfamiliar with the basic standards of civilised modern life. 'He must have been fresh from a perusal of Tolstoi', Holland said of the Correspondent, 'and become impressed by the justice of that great teacher's doctrine that to indulge in a bath is to outrage the spirit of Christianity'. For had not *The British Medical Journal* recently confirmed that a normal bath alone took forty gallons of water?¹⁴⁰ Here is a good illustration of the competing yet flexible cultural reference systems that structured the late Victorian debate. Just as few people in contemporary 'developed' societies would embrace the ILO standard of basic need of water for their own person as 21 litres per day, so Holland and most consumer advocates felt that 'Russian' standards of water consumption were an invalid basis for urban Londoners whose standard of civilisation demanded baths and WCs. Once acquired, new and 'civilised' habits of water use took on the nature of a need. As 'Medicus' pointed out in July 1895, the intermittent, reduced supply had meant that '[f]or some days past we have had to give up the luxury (I might almost say the necessity) of baths'.¹⁴¹ *The Times*, and even 'Municeps', by contrast operated with a narrower sense of essential 'domestic' use and a construction of need that minimised the needs of the poor and working classes.

For some, changing modes of supply - like the introduction of tapped constant supply - created (dangerous) new sensibilities of need and new, often wasteful, habits of consumption.¹⁴² Writing of the famine, the Special Correspondent seems to have had a class-specific criterion for need. 'One is glad to think they are so fond of water in the East-end, but the taste seems rather suddenly developed in some cases'.¹⁴³ In contrast to this approach was that of Canon Barnett, situated (in Toynbee Hall) in the wretchedly poor parish of St Jude's in

¹³⁸ *Times*, 24 Aug. 1896, 8 c.

¹³⁹ 6 Aug. 1895, 10 b.

¹⁴⁰ Holland, pp. 412f. A normal bath, here, was five feet long, 18 inches wide, with nine inches of water.

¹⁴¹ *The Times*, 23 July 1895, p. .

¹⁴² *Times*, 24 Aug 1896, 8 c.

¹⁴³ Special Correspondent, *The Times*, 29 July 1895.

Whitechapel. Resisting the 'Christian' appeal of East London Company secretary 'not to stir strife',¹⁴⁴ he helped to raise local protest at the shortages and promoted the use of water amongst the poor. Dirt, in his view, did not undermine the existence of basic needs or of what appears to have been an absolute standard of need. The 'absence of any demonstration of indignation' on the part of the poor was not 'proof of the absence of need'. Just as Kingsley had once advocated the 'waste' of water in ornate public lavatories and civic fountains for the cultivation of new habits of physical and moral well-being, for Barnett the point was not merely to provide for existing patterns of consumption: '[p]eople needed water more than they knew'. He believed that, for the 'poorer consumers' of the East End, the 'decreased use' of water with the return to an intermittent system 'must mean greater liability to disease and a greater disposition to self-indulgence'. The East London Company should have made provision long ago for the drought 'before calling on people to give up their baths and let their flowers die'.¹⁴⁵ Enduring new behavioural standards of cleanliness and water use were not possible in conditions of unreliability and scarcity.¹⁴⁶

Dirt, Mary Douglas has argued, is the 'by-product of a systematic ordering and classification of matter'.¹⁴⁷ The late-Victorian period is a moment when the ordering principles themselves are competing and in flux. Elizabeth Shove has distinguished between three rationales in modern practices and discourses of bathing: hydrotherapy and gentility; sanitation and social order; and comfort, convenience and commodification.¹⁴⁸ Much of the Victorian debate evolved around sanitation, with its focus on preventative aspects and its emphasis on an individual's duty to protect personal and public health. At the same time, this regime overlapped with a series of other water practices and discourses that are more about social distinction, gentility, civilising imperial languages of cleanliness, and about the curative aspects of water, some taking place inside the home, others at the sea-side, the spa and the hydro.¹⁴⁹ Cleanliness as an absolute standard and distinction between civilised Christian man and brutish beast was a common frame of reference that prompted easy comparisons between

¹⁴⁴ LMA, F/BAR/146: Samuel Barnett to Francis Barnett, 1 August 1896. The secretary was I.A. Crookenden.

¹⁴⁵ *The Times*, 31 July 1896. For Kingsley, see 'The Air-Mothers', [p. 10 of 13].

¹⁴⁶ Barnett suggested that if the water crisis of the East End had happened in the West End there would have been a rebellion; *The Times*, 31 July 1896, 10 e and letter from Barnett, *The Times*, 4 Aug. 1896, 3 f.

¹⁴⁷ Douglas, *Dirt*, p. 36. Cf. Christopher Otter, 'Making liberalism durable: vision and civility in the late Victorian city', in *Social History* (Vol. 27 No. 1) January 2002, p. 7.

¹⁴⁸ Shove, *Comfort, Cleanliness and Convenience*, esp. chapter 6.

¹⁴⁹ Alain Corbin; Susan C. Anderson and Bruce H. Tabb (eds.), *Water, Leisure and Culture* (Oxford, 2002); John Walton. McClintock, *Imperial Leather*, Timothy Burke, *Lifebuoy Men, Lux Women*. Lawrence Wright, *Clean and Decent: The Fascinating History of the Bathroom and the Water-Closet* (1960; Harmondsworth: Penguin, 2000), pp. 182-85.

the 'Dark East' of London and the Ottoman East.¹⁵⁰ Mr. Woonton, the sanitary inspector of St. George's-in-the-East, told LGB President Henry Chaplin, touring the East End at the height of the crisis in August 1895, that 'the Jew becomes, after some years in England, amongst [sic] the cleanest of the population.'¹⁵¹ Contributing to a tension between competing expectations, practices and interpretations, the late-Victorian ambivalence about needs reflected a persistent ambivalence about the social and cultural status of water. Different assessments of what was - or should be - the 'normal' behaviour of water users from different social backgrounds meant uncertainty over legitimate entitlements.

Disagreements about necessary or sufficient gallons of water were not academic debates about the cultural constitution of needs, but impinged directly on the long-term planning of water supply. Whether a certain number of gallons was 'sufficient' or 'lavish' played into political battles over both long-term investment in the urban infrastructure and the relative merit (and capital) of commercial versus municipal ownership. Consumers were caught in the middle of these arguments. On the one hand, companies defended the past record of improvements and attacked progressive supporters of a public take-over for seeking to limit capital expenditure and delaying much-needed investment in new reservoirs and new supplies as part of the London County Council's corrupt strategy of acquiring the water companies as cheaply as possible.¹⁵² On the other hand, the Progressive party charged the companies with putting profit ahead of the needs of the population. In 1893, the East London Company felt that 26 gallons per head should be a sufficient estimate for future consumption – at a time when it pumped 35.9 gallons per head per day. The Balfour Commission felt that 35 gallons per head was 'lavish'.¹⁵³ Neither water companies nor critics included in their equations future increases of water use through the democratisation of baths and WCs.¹⁵⁴

¹⁵⁰ E.g., *Punch*, 'Our Own Eastern Question', 13 June 1896, p 282.

¹⁵¹ *Times*, 9 August 1895, p.

¹⁵² The LCC was the arena for much debate between 'moderates' and 'progressives' over the water question. Moderate progressives like John Lubbock (former President of the LGB), proposed a Water Trust, controlling the operation of water companies' activities. Radical progressives wanted nothing less than the take-over of the companies, the use of new sources (Welsh lakes especially) to replace the irredeemably polluted Thames, and strong LCC representation on the any metropolitan water authority.

¹⁵³ Balfour commission, evidence of Frederick Bramwell for the East London Water Co. Critics of the water companies were quick to point out that the East London Company itself was pumping an average of 38.5 gallons into the system. LCC Engineer's Department. MH29/21, p.2.

¹⁵⁴ Baths and toilets remain the principal sites of water consumption. UK figures for the late 1990s show personal washing and toilet use – at 51.3 and 38.6 litres per head per day - well ahead of laundry (21.5), dish washing (11.8) or gardening (9.5). The full tub measured by the late-Victorian *BMJ* would have consumed more than twice the water of an average bath to-day (estimated at 80 litres or 19 gallons). Water UK, 'UK Water Usage Statistics', <http://www.water.org.uk/index.php?raw=262>. UK Water Usage Statistics Thanks to Helen

The expansion of new routine practices, such as running a bath or flushing a toilet, then, put unprecedented pressure on the water system. Developments in sanitary and scientific understandings contributed to an expanding sense of the volume required for 'necessary' and hygienic use. Water companies were caught between the competing claims and interests of sanitary engineers, medical officers, consumers and municipal authorities. The contest between the three- and the two-gallon flush toilet was an example. In the 1870s, the London water companies proposed a 1½ gallon flush, while the Metropolitan Board of Works and the City Corporation pressed successfully for two gallons. The Metropolis Water Act (1871) had merely specified a maximum discharge capability of two gallons. The Sanitary Institute noted in 1893 that 'sanitary drainage was at that time scarcely understood, and that there was little or no experience as to the amount of flush necessary'. It organised 13 exhibits between 1875 and 1893 to demonstrate the superiority of the three-gallon flush. '[T]he light flocculent floating matter containing mucus, which is characteristic of the diarrhoeal evacuations occurring in typhoid fever and other infectious diseases', the Institute explained, 'is more difficult to remove from closet pans by flushing than ordinary healthy evacuations, obviously therefore the provision of flushing water ought to be liberal as this will have a direct bearing on the prevention of the spread of diseases'. With a three-gallon flush the drain was 'practically cleared' (1%) whereas with two-gallons tests revealed a retention of 3%; retention in the disconnecting trap was 19% versus 26% respectively.¹⁵⁵

Such battles over percentages may look small compared to the cultural shift in regimes of cleanliness, but their implications for overall water consumption cannot be overestimated. While Victorians made greater use of urinals and may have had different flushing habits from Britons to-day, it is useful to note that toilet use in Britain currently amounts to over a third of household water use, even with an average flush just below two gallons. In the absence of average water-use figures for the Victorian period, it is dangerous to extrapolate, but it certainly points to the self-limiting assumptions underlying the conservative estimate of 15 gallons as 'sufficient' for washing, drinking and sanitation, let alone as the extreme limit of possible legitimate consumption.¹⁵⁶ In other words, when these commentators estimated

Robinson of the Environment Agency for pointing us to these statistics. Taking a shower on average uses 35 litres.

¹⁵⁵ In Edinburgh the limit was three gallons. Carlisle had a legal minimum of two gallons. TNA: MH29/24: The Sanitary Institute Report pp. 4-5. The LCC took up the cause of the three-gallon flush in the 1890s.

¹⁵⁶ Ibid. 7.5-9.5 litres for flushing the toilet (9.1 litres is 2 gallons); A Scenario Approach to Water demand Forecasting, Environment Agency, August 2001, p. 26 gives 38.6 litres per head per person as toilet use. If a

'sufficient' or 'necessary' domestic consumption, they did not presume regular bathing and flushing as part of a universal standard of normal or even possible consumption routines. As in the context of debt and credit, where the 'law of necessities' continued to be interpreted with regard to the distinct needs of different social groups,¹⁵⁷ so with water: the universal language of public health and social order was undercut by socially differentiated notions of 'necessary' consumption.

Feeding into the late Victorian debate about water as a 'necessary of life' were political questions about entitlements, popular ownership, and what later became known as social citizenship. When in the 1850s Kingsley had advocated the public provision of water for 'comforts, and even luxuries', it was, he said, precisely because it was 'waste' that

we, the people, will have our fountains; if it be just to make our governments, and corporations, and all public bodies and officers, remember that they all - save Her Majesty the Queen - are our servants, and not we theirs; and that we choose to have water, not only to wash with, but to play with if we like.¹⁵⁸

Popular radicalism and progressive politics re-activated this notion in the late-Victorian period. George Shaw-Lefevre MP, LCC progressive and former President of the LGB, saw the water companies in the 1890s as having 'dispossessed' Londoners of their 'heritage'.¹⁵⁹ Municipalisation was not confiscation but merely the return of property to the community.¹⁶⁰ As water company supporters and critics of LCC plans argued, the Consumer Leagues had reinforced a dangerous popular sense of entitlement to water.¹⁶¹ In this view, consumer advocates (and the metropolitan magistrates sympathetic to consumers whose water had been cut off for non-payment, did not only misrepresent consumers' interests but spread irresponsible ideas that undermined the foundations of commercial society: property, market, and individual rights. Conservatives like the physician Arthur Shadwell accepted that 'water is a gift of Nature, and every one has a moral right to it', but only

in the river...Or it may be in the earth or in the clouds. But water laid on in the house is not a gift of Nature. Nor does the water company by cutting it off

person flushed a two-gallon toilet only three times a day (4.5 times in 2002), a 15 gallon limit would leave a mere 9 gallons for washing the body, clothes, and dishes, and drinking water.

¹⁵⁷ Margot Finn, *Character of Credit*, pp. 270f.

¹⁵⁸ Kingsley, 'The Air-Mothers', [p. 10 of 13].

¹⁵⁹ George John Shaw-Lefevre, 'The London water supply', *The Nineteenth Century*, Vol. 44, Dec. 1898, p. 990; Arthur Shadwell, 'The London water supply: an answer', *The Nineteenth Century*, Vol. 44, Dec. 1898, p. 283.

¹⁶⁰ *Hydraulia* vs tampering with property

¹⁶¹ Shadwell, 1899 book, pp.12 f.

deprive any one of one of the necessities of life; it only deprives him of the convenience of drawing it from a tap.

Londoners, Shadwell emphasized, could still do what they used to do and what people in many rural parts of Britain continued to do: take a bucket to the river or pay someone else to deliver water. 'In truth, good water laid on in the house is no more a gift of Nature than loaves of bread brought to the door. And bread is equally one of the necessities of life.'¹⁶²

The fear that municipalisation of water was the thin end of the wedge of the socialisation of land and other commodities had been voiced in the 1850s. In response, J.S. Mill had emphasized the difference between 'natural monopoly' and market commodities.¹⁶³ The debate in the 1880s and '90s moved beyond the terms of political economy and focused on the changing habits and sensibilities of need. What lay behind the populist sense of entitlement, conservative critics implied, was a dialectic between modern conveniences and consumer mobilisation. The 'modern town-dweller... has been so long surrounded by artificial conveniences, by taps to turn and buttons to press, that he regards them as natural, forgets their origin, and to whom he owes them.' Their needs, Shadwell argued, were in fact in better hands with the private companies than in most towns with municipal supplies. Londoners paid lower rates on average than people in any other British city except Brighton. They suffered less frequently from 'water famines' than inhabitants in municipally-supplied Manchester, Liverpool or Bradford. The introduction of constant supply had spoiled Londoners, creating an amnesia about earlier, intermittent practices. Water companies, in this view, were victims of their own success.¹⁶⁴

The Consumer between Waste and Abundance: Rationalities and Responsibilities

Daniel Roche begins his discussion of water in early-modern France with a passage recalling how in the 1950s, when a rural area in Southern France was finally connected to a modern

¹⁶² Shadwell, p. Shadwell (1854-1936) had been the Cholera Superintendent of the Metropolitan Asylums Board in 1893. During cholera outbreaks in Germany and Russia (1892), he was *The Times*' Special Correspondent; *Who Was Who, 1929-1940* (London: Adam & Charles Black, 2nd edn., 1967), pp. 1220-21. Given the tone of Shadwell's writings, it is possible he was also the anonymous *Times*' Special Correspondent on the 1895/96 water crisis.

¹⁶³ *The Economist* vs J. S. Mill Letter, 1851..

¹⁶⁴ Shadwell, p. 13. ADD other pp. Water shortages cited here were: London (1895, 1896, 1898), Manchester (1874, 1884, 1887, 1888, 1893, 1897), Liverpool (1892, 1893, 1894, 1895) and Bradford (1876, 1877, 1878, 1879, 1880, 1883, 1884, 1898). Note: the conflict over 'free' water continues into the early 21st century, as when a recent customer complained to a Welsh restaurant about being charged for a glass of drinking water. The response was, here cite *The Guardian*, Jan. 2004.

water supply, an elderly woman responded by keeping the tap on constantly.¹⁶⁵ New technologies require new knowledge and habits. Water companies and water-advocacy groups today are aware of the difficult and slow process of changing consumer habits. Water efficiency and water saving are currently promoted through a variety of educational tools, from musicals and CD ROMs in schools to information packs about meters and trade-in schemes for wasteful garden hoses.¹⁶⁶ In the late-Victorian period, neither water companies nor Consumer Defence Leagues produced anything like the more recent apparatus of governmentality. Consumer debates rarely ventured into the specific uses of water to be encouraged, nor the particular hygiene habits to be promoted. As we have seen, discussion about 'necessary' amounts remained imprecise and operated with general notions of access to 'ample' supply. As detailed as the discussion is in this context about rates, quality, hours and volumes of supply, it is vague about the timing and frequency of water use for different functions in the home, for example, the length and frequency of washing the body or clothes. These topics might be picked up by charity organisations, housing reformers, and social investigators, but they did not significantly inform the arguments or mobilisation of the politically-active water consumer. The cleaning of cisterns was a more prominent subject than the cleaning of bodies. The topic that did come to the fore in the 1880s and '90s was not particular use but general waste.

The debate about the wasteful consumer reflects the impact of constant supply on consumer expectations and sensibilities. If, as the companies insisted, an abundant supply of water was pumped through their mains, why the numerous consumer protests about a 'famine'? Where did the water go? The debate about waste laid bare the different rationalities informing the habits of consumption of different groups and, in doing so, raised questions about consumer knowledge and responsibility, and about the limited sovereignty of a united, 'public' consumer interest.

The debate was located in an asymmetry of powers, rights, and responsibilities between water supplies and consuming ratepayers. Companies controlled the supply of water to the doorstep but had limited powers over the arrangements of pipes and receptacles on the inside. The stop-cock was a highly contested subject, and Consumer Defence Leagues' fought hard to keep it inside the premises (to prevent it becoming an easy way for companies to shut

¹⁶⁵ *Histoire des choses banales* (1997); engl. 2000, *History of Everyday Things*, p. 135.

¹⁶⁶ OFCOM.

down household supply).¹⁶⁷ The issue of poorly-maintained internal pipes and especially cisterns was one of the most central and long-standing sources of public debate, as well as of aggravation for water companies. Whereas landlords might be negligent in the provision of clean and adequate cisterns for their tenants, water companies were obliged to supply water to standards of public health.

The mid-nineteenth century battles over water quality had been fought in part over the question of cisterns, dividing the medical profession. Was company water in the mains already polluted or was the water polluted by cisterns and shared water butts? Already, in 1830, John Wright's critic in the *Westminster Review* had pointed a finger at the cisterns. Referring to the response of the 'water merchants' to accusations of poisoning customers, he said: '*Caveant Emptores* [sic], they perhaps will say; and perhaps this is as unavoidable as it is abstract justice: and if the consumers will not look after their own affairs ..., they do not deserve much pity.'¹⁶⁸

Constant supply (conditional on regulation plumbing) shifted the problem from poor equipment to irresponsible use or waste. Excessive use on lower floors deprived those on upper floors of their supply.¹⁶⁹ Children playing with water and keeping taps on were also of concern.¹⁷⁰ In August 1896, the East London Company continued to pump no less than 154 gallons per day to every house in the district. The problem was not one of 'famine', its secretary (I.A. Crookenden) insisted, but of waste and inadequate storage. With the introduction of constant supply in the previous two decades, landlords and sanitary reformers in the district removed many of the much-hated cisterns. 'Unfortunately,' said the secretary, 'the consumers took not the slightest interest in the conservation or careful use of the water, and made no provision against drought, frost, or the breaking of the mains.'

The companies sought to drive a wedge between responsible and irresponsible consumers. Already in the 1880s, they had begun to circulate notices to inhabitants and sanitary authorities drawing 'the attention of consumers to the enormous waste of water which occurs by carelessly leaving taps turned on; this waste is distinctly illegal, and is a

¹⁶⁷ See TNA, MH 29/8, for the Water Consumers' Defence League, Bethnal Green Branch, to Joseph Chamberlain (Pres. Of the Board of Trade), 20 April 1885, asserting a consumer's right to decide whether the stop-cock was to be inside or outside.

¹⁶⁸ *Westminster Review*, 1830 p. 38. Hamlin 1990 see MA

¹⁶⁹ Upper floors or 'high level' (often specified in water legislation in terms of feet above Trinity Standard or the level of the Thames at normal tide TBC) required 'high pressure' supply.

¹⁷⁰ *The Times*, 6 Aug. 1895, p. 10 b.

great source of inconvenience to neighbouring consumers.¹⁷¹ Wasteful behaviour betrayed fallacious and dangerous notions of popular ownership to water. In the summer of 1883 over 600,000 such notices were distributed across London, and Water Examiner Frank Bolton also criticised the 'apathy and carelessness of a great number of the consumers.'¹⁷² The water famines from 1895 brought another wave of such communications. On 12 July 1895, Crookenden began posting notices requesting East London consumers to store water and 'to abstain from using it for any purpose whatever other than domestic necessities. The watering of Gardens by Sprinklers and hose is strictly prohibited for the time being.'¹⁷³ A year later in September 1896, just after constant supply had been restored after yet another 'famine', the company warned that unless wasteful consumers stopped leaving their taps running, it would be forced to switch back to intermittent service.¹⁷⁴ *Punch* was quick to caricature the gulf between the company's attacks on gardening and the realities of poverty in the district. It showed a company turncock threatening women and children ranged with empty pots around a dry standpipe: 'Now, Look 'Ere, don't you go a wastin' all this 'ere valuable water in washin' and waterin' your gardens, or any nonsense o' that sort, or you'll get yourselves into trouble.' (Ill. See Appendix)¹⁷⁵

What appeared irrational waste to some was perfectly rational behaviour to others. There is some evidence that poor and working-class tenants left water running because of unsatisfactory or non-existent storage facilities and inconvenient or unreliable hours of supply once water companies returned to intermittent supply. As countless letters of complaint from middle- and working-class consumers attest, the notified times when water was switched on and off during the 'famine' rarely coincided with the actual times of operation. Water came and went suddenly, not necessarily coinciding with a consumer's time at home. Without a cistern, washing clothes was best done with the taps left open to allow water to run into the sink, ready for when supply was suddenly restored. As Alfred Walmer wrote to *The Times* on behalf of the inhabitants of the 'Island' in Mile End, the water company's charges that water was being wasted through the taps not being turned off was 'quite correct, and they will be kept running, as none of us know the time of supply.' He also rejected the company's attack on gardening - which in his case amounted to little more than plants on a window sill, a long-

¹⁷¹ MH 29/5, East London Waterworks Company, 2 Aug 1895, 'Notice'.

¹⁷² Bolton, Monthly Report, July 1883, p3.

¹⁷³ MH 29/22

¹⁷⁴ *The Times*, 11 Sept. 1896, 4 f. For blaming wasteful consumers, see also Times 31 July 1896.

¹⁷⁵ 'East London Water Supply!', *Punch*, 8 August 1896.

standing issue between Consumer Defence Leagues and water companies charging additional rates for a 'garden'.¹⁷⁶

From the mid-Victorian debates about constant supply onwards, irresponsible consumer behaviour had been an anxiety in social projects of abundance and universal access. Water consumer debates provided an early commentary on human nature under conditions of mass consumption – debates that would reach the commodified landscape of consumerism in democracies in the twentieth century. The Select Committee thus asked Collinson of the Metropolitan Association in 1851 whether constant supply with uniform rates would not be an injustice to consumers 'careful of the water' subsidising those who were wasteful.¹⁷⁷ In 1896, Fred Rasch, the chairman of the South-West Suburban Water Company, accused 'the public' of forgetting 'that, after all, we are fellow-creatures, and like the Irishman who burnt the notes of the bank against which he had a grudge, [they] think that by letting their taps run they are attacking their natural enemy "the waterworks"'.¹⁷⁸ Equally interesting are the suggestions for dealing with wasteful consumers. Collinson, a lamp manufacturer and gas-fitter, had accepted the need for occasional 'domiciliary visitations' to prevent waste and fraud, on the model of gas inspectors. But control had to be with local authorities (rather than companies), should be scheduled and free of an 'inquisitorial manner'. Wasteful consumers, he felt, were not like fraudulent criminals and would not 'take the trouble to think whether the inspector was coming or not'.¹⁷⁹ By the time of the 1890s shortages, the meter had become for some a preferred means of control. '[S]upply by meter', Fred Rasch agreed, is the 'best cure of waste'. Instead of the external inspector, it was through the meter that consumers were to internalise more rational habits of consumption.

The case for meters depended on the introduction of constant supply. In 1875, the Metropolitan Board of Works pressed for constant supply and the introduction of water meters on the gas meter model. There was little doubt about the considerable initial cost: an average meter was estimated at almost £5 (or twice the amount of an annual water charge for an upper-class house). But advocates were clear: meters would not only save money but make 'the consumer ... more careful.' Once constant supply became the dominant mode of provision, the Corporation of the City of London threw its weight behind the case, demanding in its 1884 Water Bill that companies be compelled to provide meters for domestic

¹⁷⁶ Alfred Walmer to *The Times*, 3 Aug 1896, 6 c.

¹⁷⁷ para. 5318, p.317

¹⁷⁸ Fred Carne Rasch [MP] to *The Times*, 26 Aug. 1896, 4 a. Cf. *Directory of Directors* (London: 1889).

¹⁷⁹ 5318-5331.

consumption. The dramatic increase in rateable value made meters an increasingly popular demand well beyond the expensive properties of the City. Dobbs' triumph in adjusting the rateable value led middling ratepayers in Consumer Defence Leagues to extend their demands to the provision of meter and payment by use only.¹⁸⁰ Pointing to the provision of metered commercial users during the famines in 1895/96, some domestic consumers without sufficient water deducted 'a fair sum' from their rates which the company allowed after 'an epistolary fight'; as Henry Buck, who threw 'this hint out to other sufferers', stressed, his landlord had informed him there was 'no occasion' for a cistern for his bath or WC since the water company had promised constant supply. London County Council representatives from the East End spoke at Toynbee Hall during the 'water famine' of the merits of the meter.¹⁸¹

If the demand for a meter became a demand for rational as well as economising domestic consumers, it was a legislative failure. The Corporation's Bill of 1884 died in the second reading.¹⁸² One scepticism about meters arose from the different consumer interests of occupiers who paid rates and those tenants who did not. As one commentator spelled out, metered use might reduce waste 'where the consumer pays directly for the water supplied...but let me remind you that in the case of the small houses in East London, where the effects of the late drought have been most severely felt, the landlord almost invariably pays the water rate. Consequently payment by meter would be no deterrent to the consumer (the tenant), and he might go on wasting the water, as he has done in the past, with absolute impunity.'¹⁸³ The meter debate in the 1890s tellingly reveals the widening social imagery of the consumer - now including non-rate paying tenants - and the resulting tensions between consumers with different socio-economic positions in society.

Companies were not universally opposed to meters, but the gains from charging water on a steadily and rapidly increasing basis of rateable value in the metropole meant that what incentive existed to regulate waste by meter may well have been exceeded by the potential loss of revenue. Incidents like Mr. Brooks' refusal to have his bath-water metered, mentioned earlier, show the difficulty companies faced in enforcing, let alone maintaining, meters. Turncocks were subjects of popular abuse and violence, and there was little evidence that meter-men would be any more popular. Companies did use meters outside the home,

¹⁸⁰ E.g., the 'crowded public meeting' in Notting Hill, and meter supported by Daniel Grant, MP, in *The Times*, 19 April 1884, 12 e.

¹⁸¹ Mr. Peare, the Limehouse representative on the LCC. *The Times*, 31 July 1886, 10 e.

¹⁸² See MH 29/43. Note, however, that the Southwark and Vauxhall company under its Act could be compelled to supply water by meter; see Balfour Browne's evidence to SC 1884, MH 29/6.

¹⁸³ Letter from 'L.H.', in *The Times*, 26 August 1896, 4 a.

connected to their mains, where they served the principal purpose of detecting waste through leakage or fraudulent and systematic waste. Companies divided their districts into small areas supervised by waste inspectors. Detective meters were placed on the mains at a time when little or no consumption was expected, mainly at night, and the use of 'water stethoscopes' allowed inspectors to hear running away.¹⁸⁴ This arrangement favoured waste detection rather than waste prevention though water companies had the powers to cut off offenders for systematic waste. Needless to say, in the increasingly confrontational world of water politics in the 1880s and '90s, the London companies were loath to enforce their limited powers on wasteful consumers in general. In the opinion of *The Times*' Special Correspondent, 'going to law is generally useless, because of the universal odium in which the water companies are held', and magistrates were also 'consumers and human.' Recourse to law was reserved for strong cases, which also illustrate the extremes of consumer waste confronted by the water companies. In several instances in the summer of 1896, at the height of the East London famine, consumers informed on neighbours, who were using domestic water to replenish their duck ponds. On 22 June 1896, after a month in which rainfall had dropped to 4 inches (from an average of 25 inches), and after repeated warnings and notices, J. Wheeler of Leyton was summoned by the East London Company. Wheeler paid for domestic use only but ran a pipe to his backyard, with the tap turned full on, wasting 400 to 500 gallons an hour. Such consumption, the company charged, meant that it was unable to provide consumers sufficiently in spite of increasing their supplies: '[i]f the waste was not stopped the company would in a few days have no alternative but to shut down the mains.' The water flowed into a pond in his garden in which 'about 20 ducks' were swimming happily.¹⁸⁵

Conclusion: Revisiting Consumer Society via Water Consumers

Our analysis of the politics of water in nineteenth-century London has implications both for our understanding of the evolution of the consumer and our approach to consumer society more generally. Water politics were fluid in the sense that debates about water – access, needs, and rights – created new social needs, sensibilities and political identities. The role of water in the refashioning of the self through new ideas and practices of hygiene and cleanliness is well known. Water played an equally significant role in shaping the new

¹⁸⁴ TBC / MH: 29.22: *The Times*, 9 August 1895.

¹⁸⁵ *Times*, 22 June 1896, 16 f; see also the case of Peter Ringen and Mrs. Betsy Ringen who were fined for wasting at least 2,000 gallons a day on their duck pond in Stepney, *The Times*, 21 August 1896, 2 f. cf *The Times* ___ 2_- 1896 on the case p. --

identity of the consumer. A rare and at best descriptive category in earlier centuries, 'the consumer' evolved into a more prominent social and political persona in the 19th century, with an institutional network and debates about its appropriate place in society and politics, its rights, interests and obligations. Together with parallel contests over the taxation of other necessities (bread and sugar), water -- more than any other commercial good or service -- contributed to the growth and maturing of the consumer. Several distinctive features stand out. First, the consumer emerged as the voice of male ratepayers. Before its more socially inclusive appearance in the late 19th century, the consumer was an identity and legitimating political category for the male property-owning and tax-paying section of urban citizens. Second, consumers included propertied private end-users but remained open to commercial users and those freeholders who paid the water-rent for their tenants but did not themselves consume the water. Third, the central site of contestation concerned the domestic sphere -- the amount, cost, access, and quality of water for a household represented by its head, the male propertied consumer -- not a commercial arena. Finally, the mobilisation of the consumer took place over a good that existed beyond the universe of markets, where its price was not determined by use or the laws of demand and supply but by property value, and where its consumption was about exhausting, using-up or wasting of a natural resources considered a vital necessity for civilised life, not about desire or the pleasure or utility added in exchange of a commercially purchased commodity.

That the politics of water played such an instrumental function in the evolution of consumers in a metropole that was the hub of an expanding commercial culture of consumption raises questions for the study of 'consumer society.' For all the subtle and complex understandings of consumption, historians, like sociologists, have tended to project an essential consumer into the past without inquiring into the historically specific formation of the consumer, as a distinct category and identity. When mid- and late-Victorians established the consumer, they did so by contesting a distinctive good through a broadly liberal political tradition of ideas and concerns about property, accountability, representation, and public service -- not from an individualist, market-oriented field of knowledge where the consumer is the purchaser of whatever sort of goods and services. At first, the consumer was a more bounded subject. Markets, and the fields of knowledge associated with liberal economics, came to appropriate and universalise the consumer, but the social and political foundations of its identity were laid outside. Many of the key debates and politics associated with 20th century 'mass consumer society' and more technocratic consumer movements

responding to affluence, powerful corporations, and the new world of mass manufactures,¹⁸⁶ were introduced by water consumers, their consumer defence leagues, and their critics. Consumer knowledge vs. apathy, the asymmetry between 'impotent' consumers and powerful or monopolistic firms, the consumer as citizen, the wasteful versus the conscientious consumer – it was around water consumption that the consumer's characteristics were first fleshed out.

The study of consumption has been shaped by intellectual currents and projects that were developed in the generations after the historical birth of the consumer charted here. Whether viewed as a source of status-seeking, social distinction, social solidarity, an instrument for suppression of individual autonomy or, most recently, a resource of identity and transgression through the formation of personal tastes and desires, the consumer has dominantly been framed through the study of durables, commercial goods or luxuries. 'Basic' goods have been left to those concerned with international development and human rights or historians studying bread riots or subsistence crises. The argument of this paper has been not only that contestation over basic goods and 'famines' (like the water famines) continued in the modern period, but that it was here that the consumer emerged as a prominent actor, identity and subject of politics. In most human cultures, water carries a variety of attributes, meanings, and uses. Rather than thinking in terms of a dichotomy between essential or 'basic' and non-essential goods, it was precisely the combination of notions about water as a necessary vital for public health and cleaner, more 'civilised' responsible thinking citizens that propelled the consumer forward. For those metropolitan men who began to agitate as consumers, water was about 'capabilities', to use a more contemporary term of analysis.¹⁸⁷ Access to more, better, and cheaper water was not merely about fulfilling some basic physiological need but about the capabilities of truly human functioning. Of course, this argument was articulated from within a society and political tradition in which the consumer

¹⁸⁶ Hayagreeva Rao, 'Caveat Emptor: The Construction of Nonprofit Consumer Watchdog Organizations', American Journal of Sociology, pp. 103, 4, 912-961.; L. Cohen, A Consumers' Republic: The Politics of Mass Consumption in Postwar America: (New York, 2003). C. Beauchamp, "Getting Your Money's Worth: American Models for the Remaking of the Consumer Interest in Britain, 1930s-1960s", in M. Bevir and F. Trentmann, eds., Critiques of Capital in Modern Britain and America: Transatlantic Exchanges 1800 to the Present Day (Basingstoke and New York, 2002), pp. 127-150; L. Glickman, 'The Strike in the Temple of Consumption: Consumer Activism and Twentieth-Century American Political Culture', The Journal of American History, 88, June 2001, pp. 99-128.; M. Hilton, 'The Fable of the Sheep', Past and Present, 174 (2002), esp. pp. 229ff; Hilton, Consumerism; L. Black, Political Culture of the Left; Maclachlan, Japan.

¹⁸⁷ For a capabilities approach based on Marxian/Aristotleian ideas, see Martha C. Nussbaum, Women and Human Development (Cambridge, 2000); for the original more utilitarian version, see Armatya Sen, Commodities and Capabilities (1985).

was a male property-owning citizen, but it equally provided them with a basis for a quasi-constitutional argument that consumers as citizens had a right to demand certain services and standards from their governments. At the beginning of the 21st century, water remains a contentious issue for users in more affluent as well as poor areas of the globe. Water is a contested issue in the Middle East, India, Africa or Latin America, but also in Europe and the United States. Citizen Advice Bureaus in Great Britain receive over a million inquiries from citizens about public utilities; one in five households are in debt to their water company.¹⁸⁸ Water continues to bring together long-standing issues of citizenship, social exclusion, consumer education, and human development with more recent concerns of sustainability. Historians and social scientists would do well to re-integrate 'basic' goods like water into the study of consumer society.

¹⁸⁸ Georgia Klein, 'Life lines: the NCC's agenda for affordable energy, water and telephone services' (NCC, Sept. 2003), p.2, and information by David Harker, head of Citizen's Advice Bureau, to Frank Trentmann, 20 January 2004.