

IASCP Europe Regional Meeting

Building the European Commons: from Open Fields to Open

Source

Brescia - Italy - March 23-25,2006

Common fields and open spaces in an English midland county

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To use the progress of the enclosure of open fields as the measure of economic and social change in England from mediaeval to modern can be misleading. Leicestershire was common-field farming country of nucleated villages in parishes which in the Middle Ages were filled by the open fields cultivated in common. The phases of enclosure of this land over the centuries freed it all from common rights to become private property producing for the market. Yet in the seventeenth century, when there was a great step towards capitalist farming, the enclosures were paradoxically part of a triumph for open-field farming and the system was only finally abandoned over a century later.

Some districts did have land resources outside their common fields. Charnwood, a barren rocky outcrop, contained no village settlements but was grazed from surrounding villages. Portions are now owned by various public authorities and are run as public parks. From being an integral part of the struggle for a livelihood by villagers, Charnwood has become a tourist attraction.

In the eighteenth century complaints from the villagers about the over-grazing of Charnwood by rabbits based in commercial rabbit warrens culminated in well-publicized riots which set out to destroy them. The gentry magistrates called in the militia. Why was there such a reaction to the riots and such articulate support for the commoners? Here were conflicting rights over unpromising terrain, the lords claiming privileges and the commoners, including new rural industrial workers, asserting customary cottager rights.

One of the pre-conditions for the first Industrial Revolution in England was an "agrarian revolution", the transformation of English agriculture from a more-or-less subsistence peasant economy to an economy in which the capitalist mode of production became the principal mode of production.

In the early nineteenth century there was anxiety about economic differentiation in rural communities resulting from commercialization. In "close" parishes landowners and large farmers

kept their villages free of poor cottagers and squatters and relied on labour from the less tightly controlled "open" villages. But there had been great steps towards commercial production in earlier centuries. In the sixteenth century England was an importer of vital corn supplies; by the end of the seventeenth it was an exporter and English farming already shewed characteristics of a developed industry. It depended on the market, not only in providing for the urban populations of the capital and other centres but also for export, so that in years of plenty, when prices fell, all farmers were, according to Daniel Defoe, in financial difficulty and many were bankrupted.

In the midlands and many other regions the majority of the population lived in nucleated settlements whose fields "lying open were used in common". By the early nineteenth century almost all land was enclosed and all common rights in it had been extinguished in favour of exclusive private ownership. So the progress of enclosure has been studied as a measure of economic change over the centuries. The enclosure of its open fields was an important turning point in the history of an individual village. Its record constituted the root of title to land-ownership and also yields details fascinating to the local historian of the workings of the system of farming that was being abandoned.

The workings of the system are well known. Land use was typically arranged in a three-year rotation, on the white corn field (wheat, rye and barley), the peas field (peas and oats) and the fallow field. Of the two main labours of open-field farming one was the raising of corn crops on furlongs of lands or strips of ground: each farmer had rights over individual lands but decisions about the timing of ploughing, sowing and harvesting were communal. The other was the communal grazing of flocks of sheep and herds of cattle on the commons. In the midlands, densely populated from the early Middle Ages with a village every couple of miles, tillage was so extensive that there remained very little waste for commons outside the arable fields. So the two activities, arable and grazing, were superimposed, accentuating their conflicting demands on the same ground. This makes farming here particularly useful to study for the breaking points of the system at each stage of enclosure.

My detailed study has centred on the market town of Lutterworth and its area of three dozen villages forming the southern corner of the county of Leicestershire. In a region with few possibilities for natural water transport the main export out of the midlands had for centuries been wool. In the late fifteenth century tillage was abandoned in some parishes, the village communities expired and the fields became extensive sheep pastures, amounting to 15% of the area.

During the sixteenth century an increase in number and wealth of villagers was spread evenly among the villages, except that some farmers were able to pull themselves ahead of others by obtaining grazing rights in neighbouring enclosed parishes. In the 1620s there was a collapse in the demand for the fine wool from the small sheep that grazed the open fields and enclosed pastures. Pasture flocks were sold up and such farmers were able to lease areas of enclosed ground for private tillage. The corn crops here took advantage of the improved fertility resulting from its rest under pasture and returned yields far higher than in the open fields. The result was that many ordinary peasant farmers found they could buy bread corn in local markets cheaper than it cost them to raise it themselves.

The local evidence of the economic crisis leading up to the English Civil War of the mid seventeenth century is that a further group of villages abandoned common-field farming. Yet around half of the total area remained to be enclosed in the period from 1725 onwards. It has been asked why the final abandonment of common-field farming was so delayed when so many villages successfully enclosed their fields at this stage. I have found it worth distinguishing the nature of enclosure at each stage. In the eighteenth century "parliamentary" phase of enclosure the argument was won for abandoning an outmoded and inconvenient system of production in favour of more efficient and profitable private farming. The need for consensus before enclosure could proceed was also eliminated. In the seventeenth century, on the contrary, it was a case of the collapse of the peasant economy of whole village communities surrendering to economic forces from outside. Whilst all the farmers in these enclosing villages lost out, the gainers were the larger farmers in the remaining common-field farming villages. With their up-and-down husbandry they profited first from the soil's rest under pasture for enhanced corn yields for a few years and then again from restoring it to improved pasture. Meanwhile the villagers living in the enclosed villages had no means of tilling; some of the corn they bought in the local market may well have been raised on their own village fields by outsiders. This stage established the contrast between "close" and "open" villages in the area which is still in evidence today.

This stage was paradoxically a triumph for open-field farming, but in a new capitalist guise. At one end of the economic scale "improving" farmers were capitalists producing for the market; at the other were the landless wage-labourers they could exploit. In the middle the peasant economy of the common-field farming villages continued with a restricted role. We should be wary therefore of judging the workings of the open fields just from the records of the eighteenth century, when they were in their final decline. We should also beware of using the progress of enclosure as a direct measure of economic and social change from mediaeval to modern economy.

One of the difficulties in dealing with common-field farming and enclosure is the leap of imagination needed to think back from present assumptions about private exclusive ownership of land to the mediaeval village and to take into account the non-economic factors. The main husbandry operations were based on customs of close cooperation; the grazing of the flocks and herds and all the work on the arable. Ploughing and harvesting, both of corn and hay, demanded immense effort and critical timing dependent on the weather, which left only narrow windows of opportunity on midland clay soils. Villagers were bound together in a network of overlapping and mutual rights and obligations, of which the right to graze the commons and crop lands was only one part. The deeds to an open-field holding were proof of legal title just as for enclosed land; but I prefer to think of the holding as a "bundle of rights". Dahlman's "property rights" analysis of the open-field system acknowledges the complexity of the ownership structure and highlights how such complexity could result in minimal "transaction costs" at critical times in the husbandry year; but he persists in stating that the strips of land were "privately owned" and "reverted" to communal ownership outside cropping seasons.

By concentrating on the enclosures in the last phase Dahlman was also able to talk of the smallholder being "compensated" for the loss of his open-field holding by the allotment of a piece of enclosed land or money. This misses the fact that enclosure involved not just the conversion of one type of farming land into another but the extinction of a way of life for the householder, his family and the whole village. There is a notable eye-witness account of the mid-seventeenth century enclosures in the area of my study in a pamphlet controversy between two local parsons. John Moore, the Rector of Lutterworth, in his impassioned plea against enclosers, characterized the campaigners for enclosure and those who profited from it as 'make-beggars' and was quite specific in dramatizing the displacement of different levels of the village communities, the farmers (both tenants and freeholders), the smallholders and their families:

First, they make Beggars of Tenants upon such Inclosure, for the Tenant forthwith is discharged of tillage, and farm, to seek a living he knows not where. Truly it would make a charitable heart bleed to come now into our Markets, where we are now so busy upon such Inclosures, in Leicester-Shire; where the Market is full of enquiry, and complaint of such Tenants to all they meet, 'Can you help me to a farm, or a little land to employ my team? I am discharged, and if I sell my Horses, and Cattle, I shall never get a team again, or so many Milk-cows to maintain my families. Alas, all my money will be spent, that I shall sell them for, ere I shall hear of any land to be set.' And in some Towns there is fourteen, sixteen, or

twenty Tenants discharged of ploughing, all in this sad condition, besides many other teams, and farms of free-holders laid down in the same Towns.

And now in the second place, we shall truly shew you how they make Cottiers Beggars. In these inclosed Towns in laying down the plough, and taking away the crop of corn, how many crops do they rob the poor Cottier of? This poor man had a crop and income in every tith of the plough . . . 'And now alas', saith the poor Cottier, 'there is no work for me; I need not be thrust out of the Town, I must be gone where I may get my living, and if I can get no house else where, I, and mine must starve.' . . . and what enquiring every where is there of these poor Cottiers (after the Town is inclosed) to get an house in any place, where they may have work.

Thirdly, such inclosures make Beggars of the children both of Tenants, and Cottiers; the children of both usually become servants to the husbandman, and brought up at the plough, &c. But now in such inclosed Towns, where there were kept 30, 40, 50 servants, there is not above three, or four. Hence the droves of poor children, when they are reproved for begging, are complaining, 'We would willingly work, if any would set us on work.'

To support the village populations in the Lutterworth area nearly all the land was used intensively; there was practically no waste outside the three fields that could be used for rough grazing. In the neighbouring area round the market town of Hinckley, a "wood-pasture" area, more grazing was available and it was typical of areas of less nucleated and less tightly controlled villages, more open to squatter settlement and to cottage industries. In these "open" type villages the local hosiery-knitting industry thrived, especially when mechanized by the introduction of the knitting-frame.

Further north in Leicestershire is a geological anomaly, an elevated rocky plateau called Charnwood Forest. Comparatively barren and treeless, it supported no village settlements in the Middle Ages but was waste used as commons for extensive grazing by the villagers in the ring of village manors around it. In the eighteenth century there were still flocks of the old-style small sheep there as well as the cows of the villagers.

Some of the manorial lords whose manors extended over Charnwood had substantial residences with enclosed park grounds. There was one way they could exploit their manorial rights over Charnwood without embarking on the daunting task of enclosing the whole area. They argued

that they were entitled to keep warrens of rabbits that grazed the commons. These proved successful commercial assets and the warreners grew in wealth and importance.

There were repeated complaints and protests by the inhabitants of the ring of "open" type villages around Charnwood that their rights to graze the commons were being infringed. The rabbits ate all the good grass, forcing the villagers to rely on the worst boggy areas for their animals. Moreover some of the rabbit warrens had been extended by enclosed encroachments onto the commons. With no redress forthcoming, the commoners eventually took the law into their own hands. Proclaiming "all rabbits are vermin", they organized a series of riots, processions "with sort of Colours, and a Horn blowing before them" out onto the commons to dig up and destroy the warrens. Notice was given in the local market inviting people to participate and the rabbits killed were sold openly for cash. There was a confrontation with a warrener and his men and in the scuffle one protester was killed. The warrener and half a dozen of his party were indicted for wilful murder but acquitted. The gentry magistrates and landowners sent for the militia and the rioters were dispersed, with dozens arrested. The outcome, however, was decidedly a victory for the popular protest and the legal claim of the villagers was also vindicated by a legal case. Nevertheless in the long run it was a hollow victory. Following an Act of Parliament of 1808 Charnwood was eventually completely enclosed. It was carved up into private ownership and all common rights were extinguished (even few footpath rights were allowed). Rabbit warrens survived only on private ground for Victorian sportsmen, although a tradition of poaching doubtless continued.

Interest in Charnwood as a romantic and wild landscape dates back to the eighteenth century at least. Some high points are visible on the skyline from Leicester; Bradgate Park was a favourite destination for Sunday walks and picnics from the county town. In 1928 this was purchased by a Leicester benefactor and gifted to the county town. The county has also purchased other areas to be run as public parks and the county Wildlife Conservation Trust maintains areas for nature reserves. A recent statutory creation is the National Forest Company, which includes parts of Charnwood in the "National Forest" area "for recreation, leisure and tourism". Thus Charnwood, from being an integral part of the struggle for a livelihood by village communities, is generally treated as a group of open spaces belonging to different public authorities with investment directed towards conservation and tourism.

There are two particularly vivid records of the conflict over the rights to Charnwood in the mid eighteenth century. The first is a detailed plan of the whole area surveyed and drawn by a local schoolmaster. This is especially valuable in portraying an unenclosed landscape half a century

before the first Ordnance Survey maps. It was prepared in 1754 for two of the principal landowners. The fact that a major feature is the inclusion of seven numbered and identified rabbit warrens confirms that it was commissioned to support their claims over the area.

The other is a remarkable piece of popular literature, a local "ballad opera", a verse drama with songs set to popular tunes. Following the success of Gay's "The Beggar's Opera" from 1728 onwards, this genre served all sorts of political and satirical ends. "The Charnwood Opera" has some literary pretensions for such a parody; it is sprinkled with classical allusions and probably comes from the pen of the same schoolmaster. It is a scurrilous attack on the gentry for their greed in exploiting the commons to the exclusion of the village commoners:

The turf is short-bitten by rabbits, and now
No milk can be stroked from the old woman's cow. . .

Our squires live on rabbit that's roasted so rarely;
We eat water-porridge, and bread made of barley.
But in faith before night, boys, we'll better our board.
For I can eat rabbit as well as a lord.

For the historian it has the added attraction of reading in places like an eye-witness account of the riot:

On yonder hill, see! How they stand
With dogs, and picks, and spades in hand.
By Mars! A formidable band,
Were they enclin'd to fight.

See! How they troop from e'ry town
To pull these upstart warrens down,
All praying for the Church and Crown
And for their Common Right. . .

Now, now, one and all, to the work let us fall.
Huzzah!
Hundreds today, and thousands tomorrow!

Huzzah!

Why did reports of these disturbances appear in local and national newspapers and why did the landowners call in the militia? It is probable that the support for the commoners extended beyond compassion for the poorer commoners such as cottagers who depended on grazing their cows on the commons. In the villages there were farmers and lesser landowners whose grazing rights would provide them with claims for ownership of some of the land on enclosure. The support for the protest would come from a wide range of villagers. In the Opera the warrener is identifying local inhabitants to the lawyer so that they can be named in legal proceedings. He notes a farmer, the village tailor and the butcher and also the parish clerk.

An additional threat to the local establishment was the population of squatters on the commons, people outside the established structure of village life based on common-field husbandry. This pressure on the commons and wastes increased throughout the eighteenth century as more of the villages round about enclosed. There was a new dimension to this pressure too. Charnwood was comparatively barren but the geology of the district had mineral potential. Coal-mining was growing as an industry. To develop new mine workings demanded large investment from the estate owners who could rely on employing landless wage-labourers as colliers. While some of these colliers may have been cottagers with ancient grazing rights there were probably many more who relied on house cows grazed by custom unofficially on Charnwood to support their families. This new industrial workforce had the added menace of anonymity for the local gentry and magistrates. This is illustrated in the Opera by the concluding exchange between the warrener and the lawyer:

"Those blackguard colliers' name? I do not know."

"Pish! Let 'em rot! They're worth nothing. Let 'em go!"

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