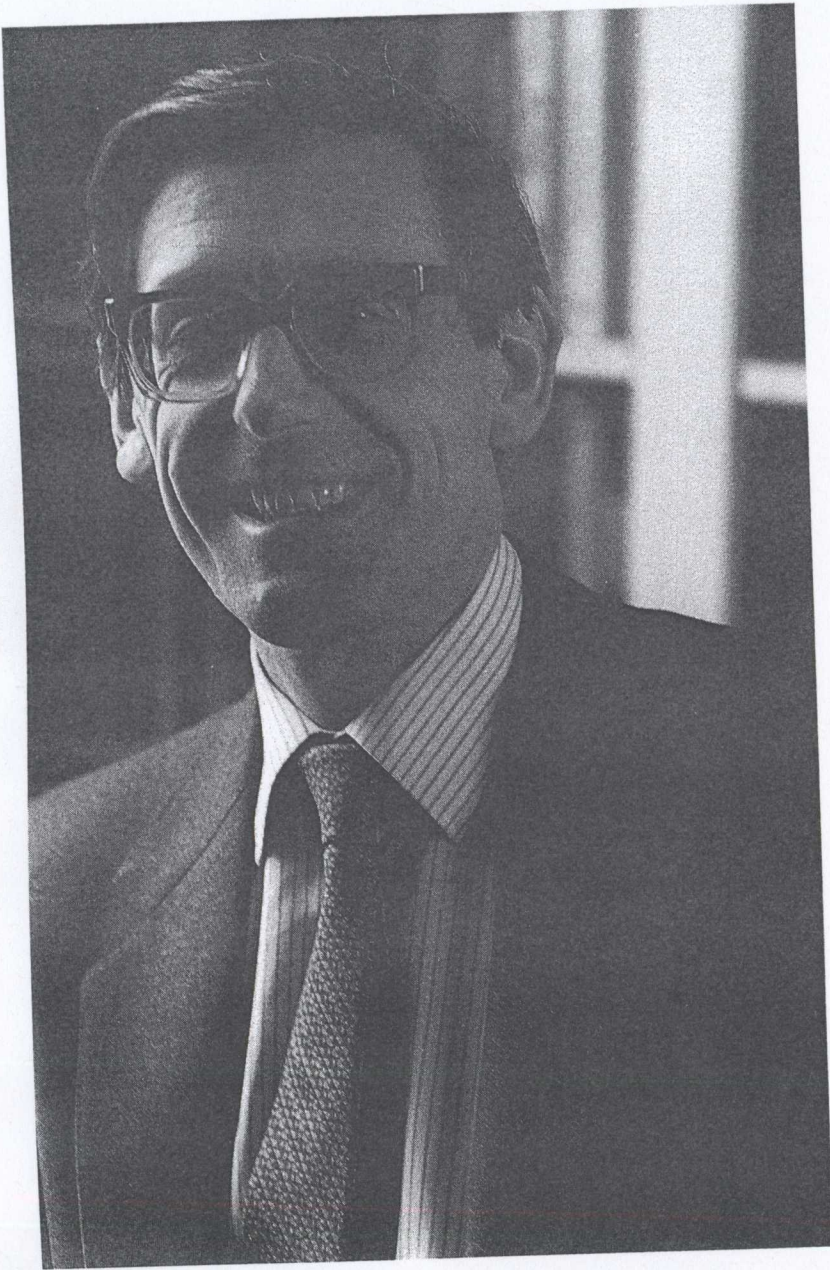


CIVIL HISTORIES

ESSAYS PRESENTED TO
SIR KEITH THOMAS

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1774 another Scot, Lord Kames, could therefore pick up Andrew Fletcher's speculation, but deal with it more persuasively in a new context. He favoured confining London to 100,000 people and distributing the rest in nine other towns in order to 'diffuse life and vigour through every corner of the island'. Earlier arguments in favour of metropolitan growth were coolly dismissed. Any alleged benefits to agriculture were clearly confined to 'the rich fields round the city'. Circulation was similarly circumscribed: 'a great town is a professed enemy to the free circulation of money, starving the provinces of coin. As for London's international glory, 'it would give one spleen to hear the French and English zealously disputing about the extent of their capitals, as if the prosperity of their country depended on that circumstance'.⁸⁸

No one would have said that 100 years before, when the English were being persuaded that the prosperity of their country and the greatness of its capital were indeed interdependent. By the end of the eighteenth century, however, new centres of merchandise and commerce and a more widely distributed civility had altered the frame of reference created by their metropolitan concentration. International comparisons were still being made, but they were no longer confined to capitals. A 1797 publication presented *A summary view of the present population of the principal cities and towns of France, compared with the principal cities and towns of Great Britain and Ireland*. It was reminiscent of a much earlier tract, the 1549 'Debate of the Heralds', which compared the towns of France and England and listed twenty of the latter against the charge that 'we have never a good town in England, only London'.⁸⁹ The fact that that kind of competitive claim could not be made in the intervening two centuries tells us something about the dominance of the metropolis, in perception and in reality, in early modern England.

⁸⁸ Henry Home, Lord Kames, *Sketches of the History of Man* (4 vols.; Dublin, 1774), iii, sketch XI, pp. 68–79.

⁸⁹ R. H. Tawney and E. Power (eds.), *Tudor Economic Documents* (3 vols.; 1924), iii. 7.

10

Civility and Civic Culture in Early Modern England: The Meanings of Urban Freedom

JONATHAN BARRY

[Freeholders] and those [that] are the freemen of corporations, were looked upon by the former constitution to comprehend the permanent interest of the kingdom. For [first], he that hath his livelihood by his trade, and by his freedom of trading in such a corporation, which he cannot exercise in another, he is tied to that place, [for] his livelihood depends upon it. And secondly, that man hath an interest, hath a permanent interest there, upon which he may live, and live a freeman without dependence.

(Henry Ireton, Putney, 29 October 1647)¹

Embedded in the heart of Anna Bryson's recent study of civility in early modern England is a paradox. The codes of civility recommended to the gentry and those aspiring to gentility sought to inculcate modes of behaviour that were, in many cases, those practised by servants and tradesmen, as well as other inferiors, in their dealings with their masters, customers, and superiors.² If the essence of civility lay in mastering techniques of self-presentation that would encourage self-control and accommodation to others, then such values, voluntarily adopted by the gentry, were simple necessity to much of the rest of the population. Of course, to the contemporary élite (and to many historians) there is all the difference in the world between the voluntary adoption, as a matter of virtue and good manners, of a code of conduct, and its practice as a social necessity by others. It is curious, however, that so much attention has been devoted to the former and so little to the latter. The aim here is to redress the balance somewhat by considering the meaning of civility for a particular group among the non-gentry of early modern England—namely, urban freemen—especially those in the larger or more established towns with a strong civic culture. In so doing, I hope to extend Keith

¹ A. S. P. Woodhouse (ed.), *Puritanism and Liberty: Being the Army Debates (1647–9) from the Clarke Manuscripts with Supplementary Documents* (1974), 57–8.

² A. Bryson, *From Courtesy to Civility: Changing Codes of Conduct in Early Modern England* (Oxford, 1998).

Thomas's mission of taking seriously those 'popular beliefs' that intelligent people of the past took seriously but which we now tend to deride.³

In this respect the civility of town dwellers has suffered from a double derision, with the mockery of contemporary gentry echoed and reinforced by the condescension and implicit rebuke of modern historians. Both traditions have assumed that civility belonged naturally to the gentry (even if they had to learn it) and that it could reach the rest of society only once it had triumphed among the élite, through the example they offered, which would breed emulation and diffusion of good manners. This model has underpinned most recent work on the social history of manners and cultural change, and has been taken as the implicit message of Norbert Elias's influential studies, given their focus on conduct books and the taming of court society. However, this may be to miss the deeper message of Elias's work. Given that he was building on the work of Weber and others on the culture of capitalism, it appears that Elias was taking for granted the civilizing effects of commerce and the forms of self-control associated with the interdependence implicit in trading relationships. Indeed, in the context of his work as a whole, it appears that civility was for Elias a particular manifestation of the broader phenomenon of social and psychological interdependence (as experienced by historical actors and worked out in historical processes) whose growing intensification was the core feature of social change.⁴ It is this broader sense of civility, rather than specific forms of conduct, that will be considered in this essay.

In this context, urban freemen form a particularly significant group amongst the non-gentry for the study of civility. If, as suggested above, it was the voluntary adoption of codes of civility, rather than the forms of conduct themselves, that marked out the gentry, then the notion of independence, or freedom, in choosing this form of behaviour, becomes crucial. Yet the gentry were not the only class in early modern England to characterize themselves as independent, or free. At one level, English national culture embodied the notion that all Englishmen (excluding, more or less explicitly, women and children) were freeborn and that this independence was a national birthright to be cherished and defended. It is not practicable here to analyse how far this ideology prevailed against alternative modes of deference and hierarchy, and how far it affected regular social encounters, as opposed to stylized political debate and occasional collective action (riots, elections, etc.), though this is an important debate. But within this broader rhetoric, and providing its most vociferous core support, in the lively political culture of London and other towns, lay the urban freemen whose status embodied this

³ K. Thomas, *Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth Century England* (1971), p. ix.

⁴ The best introduction to Elias's work as a whole remains S. Mennell, *Norbert Elias: Civilization and the Human Self-Image* (Oxford, 1989). I am grateful to Prof. Mennell for discussion of Elias's assumptions about commerce.

claim in a sharply defined form. Furthermore, urban freedom, it will be argued, offered a very specific solution to the problem of how to reconcile the notion of an English inheritance of freedom with the daily realities of hierarchy and social necessity. I will argue that urban freedom provided an alternative education in the modes of civility, one embodied not in books so much as in institutions and practices embedded in urban life, but all the more effective for that.

A further advantage of studying urban freemen is that it reminds us that civility not only had a political dimension but, in its Renaissance form at least, was closely associated with the civic politics of the city states and urban federalism of Italy, Germany, and the Low Countries. It is historiographically unfortunate that the many studies of this 'civic humanist' tradition, in which active political participation was a key attribute of civility, have not, in general, been integrated with the sociocultural studies of civility. Where they have, it has been to present civility as an alternative to such participation, bred in courts and associated with aristocratic rather than civic modes of politics. In the English context this trend has been even more marked, because it has been widely assumed that such civic humanist values were a learned import from the Continent appealing to an educated élite (which they were) and not also an indigenous tradition bred out of the practices and ideology of English urban life.⁵ This neglect is the more curious (and serious), because studies of English imperialism, both in the British Isles and overseas, have noted the crucial importance of the term 'civility' as a justification for the destruction of Celtic or native Indian ways of life. The characteristic form of such English civility was the plantation of urban commercial settlement, complete with the common law and the privileges of urban freedom, as the cornerstone of the civilizing process. Unfortunately, there is not scope here to discuss this international dimension of urban freedom, but it remained important in the rest of the British Empire, especially in Anglo-Irish Dublin, Edinburgh, and the American colonies, until the late eighteenth century.⁶

⁵ This has been an unfortunate effect of the magisterial influence of J. G. A. Pocock (notably in *The Machiavellian Moment* (Princeton, 1975) and *Virtue, Commerce and History* (Cambridge, 1985)) and of the 'Cambridge School', whose approach has remained resolutely textual, though for an interesting analysis of how this might apply to the politics of late Tudor Tewkesbury, see M. Peltonen, *Classical Humanism and Republicanism in English Political Thought 1570-1640* (Cambridge, 1995), 54-73. L. Klein ('Liberty, Manners and Politeness in Early Eighteenth-Century England', *Historical Journal*, 32 (1989), 583-605) firmly links liberty, civility, and civic humanism, but in an aristocratic context, while N. Phillipson ('Politics and Politeness in the Reigns of Anne and the Early Hanoverians', in J. G. A. Pocock (ed.), *Varieties of British Political Thought 1500-1800* (Cambridge, 1993), 211-45) is typical of many in setting the 'politics of manners' against that of civic virtue.

⁶ M. E. James, *Family, Lineage and Civil Society* (Oxford, 1974); A. Laurence, 'The Cradle to the Grave: English Observations of Irish Social Customs', *The Seventeenth Century*, 3 (1988), 63-84; J. Leerseen, 'Wildness, Wilderness and Ireland', *Journal of the History of Ideas*, 56 (1995), 25-39; J. C. D. Clark, *The Language of Liberty 1660-1832* (Cambridge, 1994); J. Hill, *From Patriots to Unionists: Dublin Civic Politics and Irish Protestant Patriotism 1660-1840* (Oxford, 1997).

This growing importance abroad was matched by a growing significance in domestic politics. The House of Commons, concerned at the manipulation of electorates and able from 1604 to decide electoral franchises, often selected a broad parliamentary electorate in boroughs, to match the 40-shilling freeholder electorate of the counties. During the Putney Debates Ireton assumed, as my epigraph shows, that the borough franchise was precisely a freeman franchise and none of his more radical opponents pointed out his error—perhaps they assumed the same. As a result, by 1689 or so, the largest single category of borough franchise, covering almost 100 seats and returning 200 MPs, was that based on the urban freemen, though sometimes supplemented by others such as urban freeholders. After 1688, and especially after 1715, the Commons began to prefer more manageable electorates, but freemen franchises remained the largest category and, furthermore, they increasingly dominated the publicly visible world of electoral politics. Most of the larger seats and a rising proportion of the regularly contested seats were those with freemen franchises and the electoral culture of the country revolved around these, at a time when the county freeholders were participating less and less often in actual elections. Moreover, a divided élite drew heavily on the language of freedom to legitimate its own political behaviour and to rally support from the parliamentary electorate, notably the urban freemen. One simple, but often neglected, consequence of this is that more people were officially identified as urban freemen in the late seventeenth and early eighteenth centuries than ever before, both absolutely and relative to national urban population, certainly if one excludes London, although there too the City of London's freemen population included about 75 per cent of the adult males, numbering about 50,000 in 1675. During the eighteenth century the relative proportions almost certainly fell, not least due to urban growth outside corporate towns, but the absolute numbers involved probably grew, if only gradually.⁷

Despite this, there have been few studies of urban freemen, especially outside London, and almost no consideration of them as a social and cultural

⁷ The freeman boroughs can be traced in the volumes of the History of Parliament Trust and in J. H. Philbin, *Parliamentary Representation 1832 England and Wales* (New Haven, 1965). For summaries, see W. A. Speck, *Tory and Whig: The Struggle in the Constituencies 1701–15* (1970), 126–31; D. Hirst, *Representative of the People?* (Cambridge, 1976), 213–15; J. A. Phillips, *Electoral Behaviour in Unreformed England* (Princeton, 1982), 61; F. O'Gorman, *Voters, Patrons and Parties: The Unreformed Electoral System of Hanoverian England 1734–1832* (Oxford, 1989), 44–5, 180–1 (where he suggests an electorate of about 65,000 in various freeman boroughs in the mid-eighteenth century, rising to c.72,000 in the later eighteenth century and just over 90,000 by 1831). I have documented the arguments in this and following paragraphs in J. Barry, 'I signifiçati della libertà: La libertà urbana nell'Inghilterra del XVII e XVIII secolo', *Quaderni storici*, 89 (Aug. 1995), 487–513. Space here does not permit reproduction of all the references contained there. R. Sweet ('Freemen and Independence in English Borough Politics c.1770–1830', *PC&P* 161 (Nov. 1998), 84–115) reinforces many of the points made here and develops them in detail for the period covered.

grouping.⁸ Although the latter is most directly relevant to the theme of civility, it is thus necessary first to consider the economic and political aspects of urban freedom. As I have suggested above, these were not divorced from notions of civility in this period. They provided the key legal and institutional meanings of urban freedom, although I shall argue that these were saturated with sociocultural assumptions as well. Furthermore the historiographical neglect of the subject is largely explained by the dominant approaches of economic and political historians. Urban freemen have been marginalized within each tradition and study of them has fallen between the two stools. Their assumptions need to be understood and corrected.

To economic historians, who have dominated urban historiography, urban freemen have been of interest on two counts. One, methodological, has been the use of freemen records as a guide to urban occupational structure. While this has generated interesting debates about how far freemen were representative of urban society, it has not encouraged much work on the freedom as such, and most such studies have focused on the seventeenth century or before, on the assumption that thereafter the freedom became politicized and hence lost its connection with economic benefits. Logically this need not make it a less useful guide to occupations; indeed, arguably it becomes a better one, but this point has not been pursued. This is perhaps because of the other economic issue. Since Victorian debates between free-trade and corporatist economic historians, the question of the urban freedom has normally been viewed as a subset of the debate about the timing, causes, and desirability of the decline of guild and corporate restrictions on trade. While this has been variously dated, most economic historians have argued (or assumed) that it was well under way by the mid-seventeenth century, and that urban freedom was less and less valued as an economic advantage thereafter. Implicitly, at least, England as a land of free trade is often contrasted with the continued corporatism of continental economies. Finally, the labour history perspective on the eighteenth century has led to a neglect of institutions like urban freedom, which was shared by a range of urban social groups, in favour of nascent working-class collectivities.

Historians of urban politics have also devoted little specific attention to urban freemen, with some notable exceptions. The emphasis on oligarchy in urban government has led urban freedom to be seen as merely a charade or irrelevance in municipal politics. With a few exceptions, such as Norwich and London, freemen's political rights are viewed as resting increasingly on their

⁸ Sweet ('Freemen and Independence') focuses on the political aspect, while bringing out admirably the connections of that with civic identity and the sense of history. The same is true of the rich analysis, for an even later period, of P. Searby, 'Chartists and Freemen in Coventry, 1838–1860', *Social History*, 2 (1977), 761–84. See also the essays on Bristol citizenship by J. Barry and S. Poole in M. Dresser and P. Ollerenshaw (eds.), *The Making of Modern Bristol* (Bristol, 1996), 25–47, 76–95.

parliamentary franchise. Until recently, the exercise of this franchise has been dismissed as unthinking or cynical, with freemen voters either supporting local leaders regardless of national issues or offering their votes for sale through corrupt practices—rendering urban freedom little more than a gravy ticket. Most recent work has shown this to be profoundly misleading, but, despite the prominent place often taken by freemen electorates in such studies, historians have been reluctant to explore the specific contribution of urban freedom. Instead, the conceptual model used has been of ‘popular’ politics, with urban freemen as merely one variant of a popular dimension to urban politics challenging its oligarchical features. Although such work, especially that of Brewer, Rogers, and O’Gorman, has highlighted the issue of independence as central to such urban electors, no sustained attempt has been made to relate this to the category of urban freedom. This reflects the pull of nineteenth-century models in which new forms of popular urban association are ever being looked for and the radical potential of traditional modes, such as the freedom, played down. But, by revealing urban politics as a complex matter of negotiation, propaganda, and ideological debate, such work has laid the foundations for a reconsideration of the place of the urban freemen.⁹

How can we define urban freedom? In the broadest sense, urban freemen were the citizens, the bourgeois, of English towns. They were intended to represent, as Ireton assumed, the ‘permanent, fixed interest’ of each specific town, because they were tied to its fortunes as a town by their juridical and economic privileges and duties as town inhabitants. Urban freedom could be gained in various ways, depending on local custom or charter, but was most often earned by apprenticeship, claimed by inheritance, or paid for by fine (often called redemption): town corporations controlled this last method of entry and, by extension, could usually create freemen gratis. The original features of the freedom most often stressed were economic, relating to trading and employment benefits and duties. Some occupations were restricted to freemen, while the freemen of different towns had reciprocal exemptions from the duties or tolls placed on ‘foreigners’—that is, on the non-free. Eighteenth-century Londoners and provincial townsmen were still travelling England armed with such exemption certificates—and corporations such as Leicester were still taking legal action when their freemen’s rights were denied in the 1750s.¹⁰ Freemen swore oaths not to connive at breaking these rules and could

⁹ J. Brewer, *Party Ideology and Popular Politics at the Accession of George III* (Cambridge, 1976); Phillips, *Electoral Behaviour*; O’Gorman, *Voters, Patrons and Parties*; N. Rogers, *Whigs and Cities: Popular Politics in the Age of Walpole and Pitt* (Oxford, 1989); J. E. Bradley, *Religion, Revolution and English Radicalism: Nonconformity in Eighteenth-Century Politics and Society* (Cambridge, 1990); J. A. Phillips, *The Great Reform Bill in the Boroughs* (Oxford, 1992); K. Wilson, *The Sense of the People* (Cambridge, 1995). The historiographical shift is critically surveyed in J. Innes, ‘Representative Histories’, *Journal of Historical Sociology*, 4 (1991).

¹⁰ G. A. Chinnery (ed.), *Records of Borough of Leicester, v. Hall Books and Papers 1689–1835* (Leicester, 1965), nos. 498, 522, 609, 644, 702. There is no systematic modern study of the varying

sue and be sued only in the town’s own courts for cases connected with these rights. The freemen also formed the town’s broadest political community or commonalty, and the electorate for some town offices, while most town offices were open only to freemen. By 1600 many such elections were either notional or closely restrained by prior nominations, but in some towns key offices like the mayorship were still open contests. As we have seen, in many corporate towns freemen formed part or all of the parliamentary electorate. Urban freedom was thus inherently both economic and political: more precisely, it reflected an urban society in which the distinction between economic and political was neither desirable nor practical.

The conventional wisdom is that during the early modern period the economic and the political separated and that as part of this process urban freedom moved inexorably from being primarily an economic status to a largely political one. While there is a fundamental truth in this, it is a truth that conceals a lot of other interesting truths, and above all the necessary dialectic between economic and political aspects of freedom. The real story is one of a constantly changing balance between the economic and political aspects of urban freedom and the perceived ability of freemen to represent, in various senses, urban society. Indeed, both the economic and political dimensions of the freedom can be understood only in terms of a deeper set of assumptions about urban society and its relationship to the broader social order. Urban freedom represented an ideal type of the form in which civility could be both transmitted and represented within an ‘ancient-constitution’ model, in which the measure of citizenship was a historical category: those who had qualified for membership by undergoing one or more of a series of processes that should guarantee that they were aware of and committed to

freedom rights in different towns, but the basic information for the 1830s can be gleaned from *Appendix to Report from Commissioners on Municipal Corporations in England and Wales (Parliamentary Papers, 1835 (116), xxiii–xxvi)*. Extensive discussions of freemen’s rights in particular parliamentary boroughs can be found in S. Lambert (ed.), *House of Commons Sessional Papers of the Eighteenth Century: Reports and Papers* (Wilmington, Del., 1975), xxx (1774–1782 elections), esp. that for Preston, 321–50, and lxxxix (1792–3), esp. for Grimsby, 71 *et seq.* The classic study remains S. and B. Webb, *English Local Government from the Revolution to the Municipal Corporations Act: The Manor and the Borough* (2 vols.; 1908). Freemen’s rolls have been published only for the larger towns of Chester, Exeter, Gloucester, Lancaster, Leicester, Newcastle-upon-Tyne, Norwich, Preston, and York. Recent examples with good introductions include M. M. Rowe and A. M. Jackson (eds.), *Exeter Freemen 1266–1967* (Devon and Cornwall Record Society, Extra Series I; Exeter, 1973) and A. D. J. Jurica (ed.), *A List of the Register of the Freemen of the City of Gloucester 1641–1838* (Bristol and Gloucestershire Archaeological Society, Gloucestershire Records Series, 4; 1991). *The Eighteenth-Century Short-Title Catalogue* reveals the English towns with published appeals to or concerning freemen or free burgesses: Alnwick, Bath, Bedford, Bristol, Canterbury, Carlisle, Chester, Christchurch, Colchester, Coventry, Derby, Durham, Exeter, Hereford, Ipswich, Kings Lynn, Lancaster, Leicester, Lincoln, Liverpool, Maidstone*, Newcastle-under-Lyme, Newcastle-upon-Tyne*, Norwich, Nottingham, Oxford, Richmond, Rochester, Saint Albans, Shrewsbury, Sudbury, Warwick, Worcester, York (those with largest surviving corpus of literature are asterisked). I have not undertaken the close study of these texts that is long overdue.

the collective values of the place, but also capable of independent judgement and action in the exercise of their representative function. This ideal type was to be replaced, in the nineteenth century, by an alternative image of (local) citizenship—namely, qualification by the ownership of property or payment of rates, as measured at the time of qualification. I have explored elsewhere how this transition might have occurred in the political sphere, suggesting that one reason was the pressure put on the definition of urban freedom by the very importance of urban freedom in parliamentary elections. This led to ever-increasing demands for the tight definition of freedom, which in turn both encouraged people to exploit the loopholes in those definitions (notably non-resident and 'honorary' freemen) and led to polemical focus on those whose technical qualification stood in clear contrast to their inability to represent, at election time, the ideal type of the virtuous, independent resident urban householder. Hence the attractions of the alternative model, with its instant test of who was suitably qualified.¹¹

Yet this political explanation does not seem sufficient, either to account for the immense durability of urban freedom or to explain why it was finally eclipsed. To do this one needs to offer an explanation of why the ideal type itself lost conviction. One feature of this is certainly economic change, but another, on which I shall focus here, is a changing sense of urban civility, not merely in the sense of urban manners (in the modern sense), but more profoundly in terms of the values and processes necessary to sustain urban society—that is, urban manners in the early modern sense.

To understand the socio-economic meaning of the freedom during the seventeenth and eighteenth centuries we need to understand how urban freedom had been used by urban communities to regulate competition. As recent work on medieval and early modern towns has shown, there was no 'golden age' when all townsmen had been freemen or when towns had sought to regulate all of the economy through the freedom. Instead, the freedom, like the guild system, had always been a legal fiction employed flexibly to stabilize urban society. There were a number of reasons why towns had not insisted on a legal monopoly. One was the legal and political difficulty in enforcing such rules, which ran against some free-trade principles in law and powerful vested interests outside. But even within the town there could be mixed feelings. The economic privileges of freedom were more relevant to certain trades than others, dealing in particular with retail businesses and craftsmen who sold their own products. Other occupations, such as the professions, many service trades, certain types of manufacture and labouring occupations had never been systematically integrated, although some of their members might be free and particular towns might seek to control sensitive occupations through this

¹¹ Barry, 'I significati della libertà', 503–8. This builds on the analysis by P. Langford, *Public Life and the Propertied Englishman 1689–1798* (Oxford, 1991), ch. 4, esp. pp. 282–7.

mechanism. The high point of such efforts would appear to be in the late sixteenth or early seventeenth centuries, rather than earlier, but this was not universally the case. As Walker's research on guilds makes very clear, moreover, such efforts at regulation remained at a high level into the early eighteenth century, and fell away only gradually and piecemeal thereafter. Such regulation was always seeking to balance the advantages of innovation and open trade with the need to offer protection to a core group of traders identified as an essential part of urban society.¹²

Two key considerations were involved here. One was that the benefits of urban life should be enjoyed primarily by those who had contributed their time and money to maintain urban government and society and who could be held to account to the rest for their behaviour. There was therefore an explicit trade-off, reflected in the freeman's oath, between gaining the advantages of freedom and being able and willing to pay taxes, participate in town government, and subject oneself and one's property to the town's courts. Given the delicate networks of credit and financial interdependency that characterized town life and the dependence of urban government on unpaid work and civic self-rule, such a trade-off was fully rational.¹³ Moreover, the system was being worked largely by those who stood to gain from such preferential treatment. This group was not necessarily just an urban oligarchy, narrowly defined, however, for such notions also appealed to the middling sort more generally and indeed were enforced by the town's leaders partly to win the support of this wider community.

Even in tightly regulated places and periods, however, the rules of freedom, like guild ones, were applied flexibly. Many towns, for example, contained areas, such as their so-called liberties, where regulations did not apply; suburban areas outside corporate jurisdiction were increasingly important. Town authorities, and even freemen, were ambivalent about such places, reflecting more general reasons for not enforcing monopolies. Producers in a particular trade, especially the larger ones who often dominated town government, might not want to restrict totally the flow of cheap labour or subcontracting

¹² M. J. Walker, 'The Extent of the Guild Control in Trades in England c.1660–1720', Ph.D. thesis (Cambridge, 1985). Other key studies include: P. J. Corfield, *The Impact of English Towns 1700–1800* (Oxford, 1982), 86–93; H. Swanson, 'The Illusion of Economic Structure: Craft Guilds in Late Medieval English Towns', *PE&P* 121 (1988), 29–48; P. J. Corfield and D. Keene (eds.), *Work in Towns* (Leicester, 1990); I. Archer, *The Pursuit of Stability* (Cambridge, 1991); C. Brooks, 'Apprenticeship, Mobility and the Middling Sort 1550–1800', in J. Barry and C. Brooks (eds.), *The Middling Sort of People* (Basingstoke, 1994), 52–83; J. P. Ward, *Metropolitan Communities* (Stanford, Calif., 1997); M. Pelling, *The Common Lot* (Harlow, 1998). My ideas here are much indebted to M. Sonenscher, *Work and Wages: Natural Law, Politics and the Eighteenth-Century French Trades* (Cambridge, 1989), a work sadly without a parallel in the historiography of Britain.

¹³ J. Brewer, 'The Commercialization of Politics', in N. McKendrick et al., *Birth of a Consumer Society* (1981), 197–262; D. H. Sacks, *The Widening Gate: Bristol and the Atlantic Economy, 1450–1700* (Berkeley and Los Angeles, 1991); C. Muldrew, *The Economy of Obligation* (Basingstoke, 1998).

skills, while mercantile groups might welcome such alternative supplies. As consumers, townspeople knew the dangers of a closed shop, especially in sensitive products such as food, and often invoked competition in times of scarcity or dispute. On the other hand, they also accepted the need to ensure the stable business conditions and trading standards of a core trading group. The two needs could often be reconciled by offering *de facto* recognition without full freemen's rights to a peripheral class, who could be taxed for the privilege as and when convenient and, in times of pressure, either compelled to accept the freedom or expelled to improve the chances of the core group. During the unstable economic circumstance of much of the seventeenth century, such flexibility was crucial to urban strategies. In the eighteenth century, it could be argued, market expansion and slightly more stable economic conditions, together with the emergence of new forms of capital formation and insurance, made reliance on these older forms of regulation less essential, but their decline was very gradual.

There is, in short, plenty of evidence to suggest that the economic privileges of the freedom were still relevant in many towns into the eighteenth century, and that stereotyped images of monopolistic customs giving way to rational competition are unrealistic. This should encourage us to consider other, arguably equally important, ways in which urban freedom was related to urban stability. Trading privileges were only one way in which freemen had priority access to urban resources in times of need. Many towns had common lands, usually for pasture, access to which was reserved for freemen, thus providing a vital cushion against price fluctuations or trade downturn. Equally important were charities reserved for those in life-cycle crises, such as impoverished freemen or their orphans and widows. Another bonus to the family budget was the so-called free school, which was 'free' only in that it offered free entry to its resident freemen and often university scholarships for its brightest sons thereafter. For the urban middling sort such apparently marginal benefits lessened the dangers of urban trading and in particular the burdens of family provision. It is perhaps not entirely fanciful to view the way in which many freemen exacted a price for their vote, especially in the smaller freemen boroughs, as a further development of such an insurance mentality. In Grampound, for example, the hapless candidates and their agents found themselves taking on all sorts of responsibilities for debts, family crises, and the like, as well as providing regular annuities and gratuities to their established supporters.¹⁴

In this respect being an urban freeman was in itself a bulwark against the blows of urban fortune and the permanent risk of 'dependence'. As such, the

¹⁴ I owe the Grampound point to the research in progress of John More. This theme is well explored for the nineteenth century by Searby, 'Chartists and Freemen'. The wider picture is the subject of J. Barry, 'Bourgeois Collectivism', in Barry and Brooks (eds.), *Middling Sort*, 84–112, especially 95–100.

freedom, like the guilds, provided the crucial model for the new forms of association, such as friendly societies and freemasons' lodges, which mushroomed after 1700 for this same purpose. Note, for example, the regular use of the term 'free member' in friendly societies to designate those who had paid the initial premiums necessary to gain benefits; the terminology of the freemasons is self-evident.¹⁵ Becoming free was thus part of a continuing strategy of self-defence, of the reproduction of independent trading households in urban society. Freeman status helped to make you free and keep you free. But at the same time freedom was a condition of becoming and remaining a freeman. To become a freeman one had to demonstrate an a priori case that one could maintain an independent trading household; moreover, in many towns, one could lose one's freeman status if one failed to maintain this degree of independence—for example, by requiring poor relief or leaving the urban community. In pursuing these features, we come up against a crucial ambiguity of the very term 'free man'. The ideology is one of male independence, but, as we have seen, the purposes of the freedom were often household centred and equally the resources needed to become a freeman depended less on the individual than on a household and, in some cases at least, on women.

Let us look again at how the freedom was obtained. Purchase was usually the most expensive. Such fines have normally been regarded as a useful boost to civic finances, but their legitimization, surely, was to purchase a share in existing urban amenities and to demonstrate one's financial standing. In practice the hefty fines may have been paid in instalments. However, purchasing freedom was never regarded as an ideal method of entry. The fully legitimate forms were inheritance (or patrimony), apprenticeship (or, as it was often termed, significantly, servitude) and, thirdly, in some towns, marriage to the widows and/or daughters of freemen. Patrimonial entry reflects an ideology of male birthright, with the town as an extended family with property rights descending in the male line, and such sons were usually charged the lowest entry fees of all. Indirectly, such rights could be transmitted in some towns through widows and daughters, but could be exercised only by a male who took over such a free household—and thus established a presumptive claim to the independence it supported. This provision reflected the common urban problem of sustaining population, as well as giving a further advantage to native women over immigrant ones in the marriage stakes. The final method of entry, apprenticeship, was also a way of bringing new blood into the urban

¹⁵ See Barry, 'Bourgeois Collectivism'; P. Clark, *Sociability and Urbanity in the Eighteenth-Century City* (Leicester, 1986); J. Money, 'Freemasonry and the Fabric of Loyalty in Hanoverian England', in E. Hellmuth (ed.), *The Transformation of Political Culture in Britain and Germany in the Late Eighteenth Century* (Oxford, 1990), 273–90; R. J. Morris, 'Clubs, Societies and Associations', in F. M. L. Thompson (ed.), *The Cambridge Social History of Britain, 1750–1950*, iii (Cambridge, 1990), 395–443. I am grateful to Martin Gorsky for his advice regarding friendly societies.

family, but on strict terms. Only by a period of servitude to urban society in general, and an urban household in particular, could the apprentice, like the child, inherit freedom out of servitude, when of an age to set up his own household. During the sixteenth and seventeenth centuries the apprenticeship route into the freedom had become both more dominant and more carefully regulated. Despite this, many, perhaps most, apprentices before the Civil War never took out urban freedom, but it seems that this pattern changed after the mid-century, with a much higher take-up of freedom by the 1670s onwards and into the early eighteenth century. This was surely due to the much greater incentive for those qualified to take up the freedom. By the eighteenth century, as apprenticeship began a slow decline in many urban occupations, though not all, patrimony and marriage grew once more as routes into the freedom. This trend may also reflect shifting urban demography, as greater dynastic continuity and a female bias to immigration changed the profile of potential freemen.¹⁶

Urban freedom thus systematically tempered the full effects of the market, not merely or even primarily by constituting a cartel, but by offering freemen (one is tempted to call them 'stakeholders') ways of establishing their claim to a stake in civil society and a number of forms of assistance to ensure that they could sustain this position and pass it on to the next generation. In doing so it laid heavy emphasis on the household, both as the means of gaining that claim and as the organization to be protected. In this respect, once again, I would argue that urban freedom represented a much wider trend in early modern urban society, and urban freemen were the ideal types of the urban middling sort. I have called this culture 'bourgeois collectivism' to underline the divergence from our stereotype of market-oriented possessive individualism.¹⁷ But it might be equally appropriate (and less anachronistic) to call it 'civility'. The remainder of this essay will consider urban freedom as an example of such civility and how it might have given place, gradually, to an alternative urban civility.

How did urban freedom as a form of civility differ from that associated with the gentry and how did it negotiate that fine line between necessity and independence identified at the start of this essay? The main answers will already be clear. It was explicitly collective in its nature and it emphasized, rather than concealing, the economic and political dimensions of social interaction. But, at the same time, it removed such economic and political dimensions from the realm of necessity and reconciled their force with independence, by presenting them as the rules of an association to which the freeman had voluntarily adhered for the collective as well as his individual

¹⁶ I. K. Ben-Amos, 'Failure to Become Freemen: Urban Apprentices in Early Modern England', *Social History*, 16 (1991), 154-72; Brooks, 'Apprenticeship'.

¹⁷ Barry, 'Bourgeois Collectivism'. See also J. Barry, 'Identité urbaine et classes moyennes dans l'Angleterre moderne', *Annales ESC*, 48 (1993), 853-84.

good. The ultimate form taken by this reconciliation was that of the law: the law seen not as a form of servitude (as it would be for slaves or in a tyranny), but as the embodiment and guardian of freedoms and liberties, which could not otherwise exist.

The freeman was thus 'civilized' by undergoing an education that was not primarily in books or formal education, but rather in the institutions of the household, either as a child within a freeman household and/or as an apprentice within one (the latter crucial for the many migrants into town). Schooling might also serve to distinguish the urban freeman: most urban occupations expected some level of literacy and, as we have seen, access to urban 'free schools' could be an important privilege, offering a higher standard than the parental purse might have been able to afford unaided, and subject to the public scrutiny of city authorities.¹⁸ But greater emphasis was laid on education within and for work, and hence on the educative value of work itself, not just for the apprentice or child but throughout life. The values instilled would be all those qualities, such as thrift, respectability, and industry, often labelled the Protestant work ethic and seen as the foundation of individualism. But their success was assumed not only to depend on collective rather than individual action, but also to be accompanied by a set of overtly collective virtues, of sociability and good fellowship.

These values were to be expressed both within the household and in a wide range of other public settings. Just as much as any gentleman, the urban freeman's civility was both developed and tested in the public sphere. This would have included the dense urban world of alehouses, inns, and, later, coffee houses and other places of entertainment. But it would also have included the many meetings in the dense network of associations, secular and religious, political and business, corporate and unofficial, to which urban freemen characteristically belonged. While there were, of course, crucial differences between these many kinds of association (and rivalries between them), they shared many of the same elements of civility, once again in the form of dialectic tensions. These include those between self-control and obedience to others, between competition and cooperation, between restraint and liberality. We may see the practice of associational life as providing the bourgeoisie with a constantly renewed experience and representation of how to manage their lives in accordance with these values, and in particular how to balance their apparently contradictory requirements. The central notion here, one often evoked by contemporaries as they extolled the virtues

¹⁸ See L. Stone, 'Literacy and Education in England 1640-1900', *PCP* 42 (1969), 69-139; W. B. Stephens, 'Illiteracy and Schooling in Provincial Towns 1640-1870', in D. Reeder (ed.), *Urban Education in the Nineteenth Century* (1977), 27-48; R. A. Houston, *Scottish Literacy and Scottish Identity* (Cambridge, 1985); J. Barry, 'Popular Culture in Seventeenth-Century Bristol', in B. Reay (ed.), *Popular Culture in Seventeenth-Century England* (1985), 59-90; and other works discussed in J. Barry, 'Literacy and Literature in Popular Culture', in T. Harris (ed.), *Popular Culture in Early Modern England* (Basingstoke, 1995), 69-94, 232-41.

of life in the 'middle station', was of the 'golden mean'. To be a member of the middling sort you had to learn how to practise moderation, but the middling sort were seen as uniquely placed to achieve this ideal state, if properly trained.

The role of associations in this process of training was twofold. On the one hand, the values preached by the sermons, toasts, insignia, recitation of rules, and the like at associational events provided a prudential code for the urban freeman seeking to maintain his freedom. Its messages were, however, also embodied in the actual practices needed to carry off such occasions successfully. For example, he learnt to balance the demands of sociability, expressed most commonly in expenditure on proper clothes, food, and drink, with appropriate restraint, such as limits on expenditure and drunkenness and insistence on correct clothing for one's position within the association. Plaudits for order and decency followed correct performance; criticism and penalties followed infractions. Both the group and the individual were thus under permanent scrutiny for the adequate expression of bourgeois self-management, itself the prerequisite for genuine freedom. Association thus succeeded apprenticeship as the proving ground for the urban freeman.

Finally, urban freemen had a third setting—namely, the exercise of political responsibility. Here, too, the same dialectic can be observed, between the model of the virtuous freeman exercising an independent choice and the public world of ritual, festivity, and collective sociability with which that process was often associated. It is all too easy for us to associate the latter aspect with corruption (as many contemporary critics also did) and judge the political world of the freeman by the standards of a modern secret voting process—forgetting both the public world of political sociability still found today and the assumption then that such public display was an integral part of the freedoms of the urban electorate. Hence, of course, the outrage often expressed by urban freemen at electoral deals or other élite stratagems to prevent freemen from exercising their vote: this was to impugn their civility while removing the opportunity for its exercise.¹⁹

Alongside the elaborate rituals involved in much of this civility, there was an elaborate social vocabulary to express these values, in which words such as fellowship, benevolence, decorum, and respectability were quite as important as the term 'gentility' (on which historians have lavished such attention). One crucial vocabulary pointed to civic benefits and social utility, in particular the complex language of charity and mutual benefit. As noted above, one might regard urban freedom as a form of mutual benefit association, yet the forms such benefit took, including the support of families, allowed this to be pre-

¹⁹ J. Epstein, 'Understanding the Cap of Liberty: Symbolic Practice and Social Conflict in Early Nineteenth-Century England', *P&P* 122 (1989), 75–118; F. O'Gorman, 'Campaigns, Rituals and Ceremonies: The Social Meaning of Elections in England 1780–1860', *P&P* 135 (1992), 79–115; Sweet, 'Freemen and Independence'.

sented as unselfish measures for the public good, allowing even the humbler freeman to feel a supporter of charity, not, as the poor, a humble dependent upon it. A second cluster of terms concerned antiquity, honour, and precedence. Like other bourgeois associations, urban freemen could claim for their towns and their privileges, and hence for themselves, precisely those qualities, associated with continuity, that the gentry claimed, as individuals, from their relationship to land and family.²⁰ Finally, of course, there were the notions of freedom, citizenship, and independence themselves. These too had their balancing requirements, such as loyalty, obedience, unity, and impartiality. It is worth remembering here that, while urban freedom was often employed in a radical critique of oligarchy, it had its own inherent conservatism. It often expressed patriarchal and paternalistic sentiments towards women, children, and the dependent poor and it often involved unequal responsibilities and power within the urban freemen, while excluding many others from its privileges. It also involved a complex mixture of the highly local and particularistic (the specific civility of a particular town), and the national and universal (urban freedom as a nationally defined category linked to Crown, law, and Parliament and part of a national constitution of freedoms).²¹ It is misleading, therefore, to present this culture as a localist, provincial culture, in contrast to the national metropolitan civility of the gentry and urban élites, because this culture was in its own way national (and found its fullest expression, of course, in the metropolis among the London freemen).²²

Underlying all these aspects of civility was the urban obsession with regulating citizens' behaviour to ensure order and decency, two of the highest terms of praise, though, as we have seen, they also sought to provide conditions in which sociability and communal solidarity could safely be expressed. Hence the constant urban efforts to ensure the 'reformation of manners', a movement through which the middling sort were imposing civility on themselves as much as on those above and below them, and which offered them yet another associational setting in which to practise their civility. Many of the characteristic features of gentry civility can be understood only in terms of their interaction, in London and elsewhere, with such urban regulation, whether it took the form of new standards of genteel self-regulation or, as often, in the assertion of a form of counter-civility in the persona of the rake or fop.²³

²⁰ As Sweet notes, 'Freemen and Independence', 112–13.

²¹ Barry, 'I significati della libertà', 493–5.

²² Pace D. Wahrman, 'National Society, Communal Culture', *Social History*, 17 (1992), 43–72. See J. Barry, 'Provincial Town Culture 1640–1780', in J. Pittock and A. Wear (eds.), *Interpretation and Cultural History* (Basingstoke, 1991), 198–234.

²³ M. Ingram, 'The Reformation of Manners in Early Modern England', in P. Griffiths *et al.*, *The Experience of Authority in Early Modern England* (Basingstoke, 1996), 47–88; Bryson, *From Courtesy to Civility*, ch. 7. I explore the centrality of the reformation of manners in urban society in J. Barry, 'Begging, Swearing and Cursing', in Barry, *Religion in Bristol* (Bristol, forthcoming).

During the early modern period these forms of civility were in constant contact, above all in London. There is no space here to debate how far one civility conquered the other: clearly they intermingled to produce some peculiarly English forms of civility. In the context of urban freedom, the remaining question is how far this produced a new form of urban civility, different from that sketched above, whose dominance helped to break the hold of the urban freeman as an ideal type for urban civility. My brief answer would be that such a change did occur, but gradually and in a very complex way. If, as I have argued elsewhere, one can see many of the features of the polite society of the urban renaissance as deeply indebted to this earlier civic culture in forms and values, and supplementing rather than replacing the older forms, it becomes harder to see why the growth of polite society should, in itself, have undermined urban freedom.²⁴ However, it is possible to see a change in the civilizing process embodied in these forms of civility, compared to the process typified by urban freedom. Both the education for such civility and the public expressions of that civility came to owe less and less to rites of passage through collective institutions associated with the household and the town, and had more and more to do with schooling and possession of specific cultural attributes at a particular moment of time. Like the political right of representation, civility ceased to be defined by continuity over time and became defined by meeting a contemporary standard of performance. In that respect, perhaps, the codes of civility elucidated by Anna Bryson were finally to win the day. While it is tempting to consider this transition as that from community to class, or regard it as the commodification of culture within a consumer society, I believe it is valuable to retain the specific reference to a change in the evaluation of time. Not only does this retain the political as well as economic dimension, mirroring the shift away from an ancient-constitution model, but it also correlates with that fundamental shift in attitudes to knowledge (away from tradition as the ultimate source of legitimacy) and in social experience (towards a greater confidence in impersonal techniques for overcoming the risks posed by the natural and social environment) that Keith Thomas identified as crucial in *Religion and the Decline of Magic*.²⁵

²⁴ P. Borsay, *The English Urban Renaissance* (Oxford, 1989); J. Brewer, *The Pleasures of the Imagination* (1997). For my criticism of these approaches, see Barry, 'Provincial Town Culture', and also J. Barry, 'Consumers' Passions', *Historical Journal*, 34 (1991), 207-16.

²⁵ Thomas, *Religion*, 428-32, 576-9, 602-6, 644-7, 662-3. For this, see my discussions in J. Barry, 'A Historical Postscript', in D. Castiglione and L. Sharpe (eds.), *Shifting the Boundaries: Transformation of the Languages of Public and Private in the Eighteenth Century* (Exeter, 1995), 220-37, and in J. Barry, 'Introduction: Keith Thomas and the Problem of Witchcraft', in Barry et al. (eds.), *Witchcraft in Early Modern Europe* (Cambridge, 1996), 1-45, esp. 25-30.