The Memory of the People

Did ordinary people in early modern England have any coherent sense of the past? Andy Wood's pioneering new book charts how popular memory generated a kind of usable past that legitimated claims to rights, space and resources. He explores the genesis of customary law in the medieval period; the politics of popular memory; local identities and traditions; gender and custom; literacy, orality and memory; landscape, space and memory; and the legacy of this cultural world for later generations. Drawing from a wealth of sources ranging from legal proceedings and parochial writings to proverbs and estate papers, he shows how custom formed a body of ideas built up generation after generation from localized patterns of cooperation and conflict. This is a unique account of the intimate connection between landscape, place and identity and of how the poorer and middling sort felt about the world around them.

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Custom and Popular Senses of the Past in Early Modern England

Andy Wood

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For Claire, Max and Rosa, with all my love

Culture is ordinary: that is the first fact. Every human society has its own shape, its own purposes, its own meanings. Every human society expresses these, in institutions, and in arts and learning. The making of a society is the finding of common meanings and directions, and its growth is an active debate and amendment under the pressures of experience, contact, and discovery, writing themselves into the land.

Raymond Williams,
Resources of Hope: Culture, Democracy, Socialism
(London, 1989), p. 4.

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Preface

This book describes some of the cultural resources that the poorer and middling people of Tudor, Stuart and early Georgian England brought to their world. For sure, the book is sensitive to the difficulties under which those people lived. For many of them, this was a grim, dark time. But for others, it was a time of happiness, opportunity and material advancement. Both for richer and poorer common people, it was a time in which lives were lived, landscapes felt, neighbours known and loved ones held to the heart. Alongside the many cruelties that underwrote early modern English society, ordinary people made for themselves a world that had meaning, one built upon solidarities, kindnesses and mutual respect. These resources of hope were organized by customary law and constructed within social memory. *The Memory of the People* describes how poorer and middling people developed ways of preserving and distributing local resources. It shows how those distributive systems were organized around senses of the past; how neighbours struggled over the meaning of custom with one another and with their rulers; and how custom and memory were shaped within power, resistance, landscape, literacy, tradition and place.

The Memory of the People advances a set of overlapping arguments. It suggests that customary law was central to early modern popular memory. As *lex loci*, custom defined identities, senses of belonging and entitlement, all of which operated within intensely felt local relationships. While it draws wider conclusions concerning popular memory and customary law, all the time *The Memory of the People* is sensitive to geographical and social diversity. Popular memory could generate, when needed, a kind of *usable* past, a sense of the past that legitimated claims to rights, space and resources in the present. Popular memory, and custom in particular, therefore, had the potential to be very political. The book focuses on what the Levellers called the 'poorer and middle sort of people'. But it also has a lot to say about the gentry. It is, then, as much as anything a study of social relations. Sources concerning

customary law have a strong bias towards the male voice, but can be squeezed in order to get at women's testimony, experience and memories: this is the method I have followed. The book also engages with ways of seeing and reading: drawing on recent archaeological and anthropological readings, it suggests that early modern popular memory was plotted within the landscape and read through interlocking textual and verbal modes of remembrance. While the core of the book focuses on the period *c.*1500–1770, it is topped and tailed with commentaries on the earlier and later periods. Early modern popular culture needs to be read historically, as stemming from the accumulated experiences and memories of earlier generations. Likewise, the politics of rural workers in nineteenth-century England drew heavily on the cultural worlds of their ancestors. In the background all the time lay the dull compulsion of economic relations. The structural changes of the period were messy, uneven and contested. But they produced a dynamic that drove change in customary law and social relations. Most of all, the book tries to capture something of the way that ordinary people *felt* about their world: how, just as it changed around them, they wrote their understandings of it around distinct readings of local history, articulated through customary law and social memory.

The idea for *The Memory of the People* came to me in the Round Room of the old Public Record Office on Chancery Lane during the hot London summer of 1993. Late that August, I was reading a bundle of depositions concerning the customs of the free miners of the Forest of Dean, work that was to result in an essay dealing with the comparative history of English free mining communities. Like all customary claims, those of the Forest of Dean miners were intensely local, scripted into the land and inscribed in social memory. But they spoke to wider issues: about identity, memory, belonging, gender, power, place and resistance. It struck me that this archival material might allow the creation of a wider treatment of the subject. At that time, I had the good fortune to be holding a Scouloudi Research Fellowship at the Institute of Historical Research. I was completing a doctoral dissertation which, amongst other things, concerned customary law in the Peak Country of Derbyshire. That autumn, I left London to teach for two years in the Department of Economic and Social History at the University of Liverpool. A lot of my initial thinking for this book was done there, and I was lucky to work with some really remarkable people, including Alan Campbell, Andy Davies, Pat Hudson, Jon Lawrence, Tony Lane, Sean O'Connell, Mike Tadman, Eric Taplin and Garthine Walker. It is a great source of sadness that Eric Taplin passed away while this book was

in its production stage: his friends will miss him. While at Liverpool, I banged out a set of essays concerning customary law, which went on to be published between 1996 and 1999. While I still believe that those pieces have something valuable to say, what is offered here presents a far more fractured vision of the place of custom in plebeian political culture than I offered in those essays.

I owe a lot to the Institute of Historical Research, not just for its funding but also for providing an intellectual home during my two years as a temporary Londoner. I also owe a huge debt to the British Academy, who awarded me the post-doctoral fellowship that allowed me to return to the London archives in 1995. The following year, I was appointed to a lectureship at the University of East Anglia (UEA). During my time at UEA, I was fortunate in winning significant research funding that allowed the scale of this book to become more ambitious. I was incredibly lucky to be awarded a major grant by the Arts and Humanities Research Council (AHRC). I was equally lucky to receive a research fellowship from the Leverhulme Trust. I was blessed by the opportunity to collaborate with Nicola Whyte, who, as post-doctoral researcher on our AHRC project, contributed not only a constant flow of rich material but also an equally constant barrage of ideas, energy and enthusiasm. I can't thank her enough. I have also been very fortunate to work with a remarkably able group of doctoral students. Supervising the work of Helen Band, Karl Bell, Dan Howse, Russell Newton, Andy Pearmain, James Riordan, Simon Sandall and Fiona Williamson has been both a pleasure and an inspiration. The argument pursued in the book was sharpened by the helpful comments of an anonymous reader for the Press, to whom I am very grateful. The finishing touches were added while I held a fellowship at the Institute of Advanced Study at Durham University, to which I am grateful for affording me the space and time to complete the work.

Over all these years, my dear friend Cathie Carmichael was always there, especially at the hardest times. Other UEA friends who contributed a lot include John Arnold, Malcolm Gaskill, Rob Liddiard, Carole Rawcliffe, Nick Vincent and Tom Williamson. Many of the ideas for *The Memory of the People* were tried out on audiences at the annual meetings of the North American Conference of British Studies and of the Social History Society. There are other debts as well: to Sarah Covington, Adam Fox, Heather Falvey, Laura Gowing, Paul Griffiths, Steve Hindle, Alun Howkins, Ronald Hutton, Ben Jones, John Morrill, Alex Shepard, Bill Sheils, Tim Stretton, Naomi Tadmor and John Walter.

As ever, I have benefited from the unstinting support of Keith Wrightson, who read the whole text of this book and in my blacker moments reminded me why it all matters. I was also able to talk through the book with Dave Rollison. Two moments in our twenty-year conversation were especially memorable: over Christmas and New Year 2004–5, a hazy journey over the Blue Mountains ended with a discussion of *Customs in Common* in the fly-driven outback of New South Wales; another at Bermagui, on the shores of the Pacific Ocean, sharpened my sense of the historical importance of space and time. During a very lovely weekend in the Sussex Weald in the early summer of 2012, Claire Langhamer zipped through the whole thing. In that weekend, she made it all make sense. My own resources of hope lie in Max and Rosa and – of course – in my dearest Claire. This book is dedicated to the three of them, with love and thanks.

Abbreviations

BIA	Borthwick Institute for Archives
BL	British Library
Bodl. Lib.	Bodleian Library
CRO	Cumbria Record Office (Carlisle)
CUL	Cambridge University Library
DUL	Durham University Library
ERO	Essex Record Office
GA	Gloucestershire Archives
HMC	Historical Manuscripts Commission
JRL	John Rylands Library
NRO	Norfolk Record Office
RO	Record Office
SA	Shropshire Archives
SRO	Somerset Record Office
TNA	The National Archives
VCH	Victoria County History
WSRO	West Sussex Record Office
WSA	Wiltshire and Swindon Archives