

## Introduction

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The starting point of my interest in the topic of this book was the serendipitous discovery about thirty years ago of a number of English food riots in 1347.<sup>1</sup> This discovery ran counter to prevailing historical opinion that the earliest food riots in England dated from the 1520s.<sup>2</sup> As a consequence, I was prompted to undertake research to determine if there had been other food riots in the later middle ages. Although I did find a few more riots in the fourteenth and fifteenth centuries, I was only able to examine a tiny fraction of the surviving medieval legal records. It may well be that there are other food riots to be found. Along with the interest in food riots, there was a larger question I wanted to answer: did the late medieval state have a policy of regulating the grain market, especially in times of scarcity or famine, that might be considered an ancestor of the extensive paternalistic regulatory apparatus of the early modern state? At the heart of this book is an attempt to answer that question.

This is a question that English medievalists have never raised. There is a rich historiography that has been produced over the years on areas such as agriculture, grain production, prices, estate management, population, famines and scarcity, local markets, and their regulation by local governments. Much of that work has been extraordinarily important for creating a context for this study. It is striking, however, that the crown is largely absent from such studies except for sections of Gras's book on the evolution of the English corn market that was first published in 1915.<sup>3</sup> In his excellent recent book on medieval market morality Davis focusses

<sup>1</sup> I was reading Bellamy, *Law of Treason*, pp. 67–8, 218 where he discusses examples of accroaching the royal power, a crime akin to treason. I realized that a number of his examples were food riots, although he did not appear to notice that since his focus was solely on treason and related crimes.

<sup>2</sup> Stevenson, *Popular Disturbances*, p. 91; Slack, *Poverty and Policy*, pp. 116–17; Guy, *Tudor England*, p. 171. Dyer, *Standards of Living*, p. 272, dismisses the possibility that there might have been food riots in the medieval period.

<sup>3</sup> Gras, *The Evolution of the English Corn Market*.

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on both the practical and the moral values that permeated economic transactions in local medieval market places in England and on the enforcement of market regulations in towns by local officials and such institutions as borough and manorial courts.<sup>4</sup> In contrast, national institutions such as crown and parliament are only briefly mentioned.<sup>5</sup>

The overall lack of focus on the crown and parliament in the economic and social historiography appears to be the result of an assumption that the enforcement of regulations of the market in foodstuffs, especially grain, was left to local officials and institutions. At best, crown and parliament occasionally passed regulations but left enforcement to others. One striking statement about the lack of any sort of national social policy is to be found in the work of Christopher Dyer: “Medieval governments had no social policy in our understanding of the term.”<sup>6</sup> In fact, the crown was active not only in the creation of market regulations, along with parliament when needed, but it was particularly active in enforcing such regulations in times of scarcity and famine in the interest of the common good.

During the reigns of five of the six kings between 1307 and 1440, Edward II, Edward III, Richard II, Henry IV, and Henry VI, when scarcity or famine occurred, the crown’s response was consistent. The punishment of forestallers, who were usually blamed for driving up prices by keeping grain off the market, was urged. So too was the enforcement of traditional measures such as the assize of weights and measures and the assizes of ale and bread. Other actions were perhaps more significant. Prohibitions on export of grain were issued and the import of grain from overseas was encouraged by allowing it to enter England custom free. Also efforts were made to stop or reduce the smuggling of grain from England, although it is not clear how effective they were.

During the reigns of Edward II’s successors new responses were developed. In 1351 parliament passed a new statute of forestallers, which contained a provision that the goods a forestaller purchased could be forfeited to the king. Later, during a scarcity after the harvest of 1370, Edward III enforced the statute and ordered the sheriffs of London and nine counties to imprison those who forestalled grain, confiscate the grain and sell it in the open market. Such actions continued under Richard II and Henry VI. In 1391, Richard II appointed two local commissions (for Winchester and Tamworth) to search for and seize

<sup>4</sup> Davis, *Market Morality*.

<sup>5</sup> *Idid.*, pp. 141–4, 189–98, 231–51 contain most of Davis’s discussion of crown and parliament.

<sup>6</sup> Dyer, *Standards of Living*, p. 251.

hoarded grain and then sell it in local markets, while during the famine of 1437–9 Henry VI appointed commissions in seven counties to identify forestallers, regrators, and engrossers and discover how much surplus grain they had on hand. The grain would then be forfeited to the crown under the terms of the statute of 1351 renewed in 1378 and probably sold in open market. In addition, during the scarcity years 1391 and 1429, the government of London bought grain in Europe to supply the city population, including the poor.

One major concern of Edward III, Richard II, and Henry VI, was ensuring the grain supply of London in times of scarcity. This meant issuing licenses to allow the movement of grain by sea to the city from other parts of England and occasionally Ireland, as well as encouraging the import of foreign grain. Another concern was the grain supply of Bristol. That supply could be cut off or reduced in two ways. One was neighboring counties, which were suffering from scarcity, could fail to provide normal amounts of grain for the city. The other was blockades of the River Severn by the inhabitants of other communities along the river, including the Forest of Dean.<sup>7</sup>

Governmental action in response to famine and scarcity was justified by the language of the common good. For example, Edward II's proclamation prohibiting the export of grain, issued after the failure of the harvest of 1315, was for the *comodo populi nobis*.<sup>8</sup> In October 1351, after another poor harvest, Edward III's government issued an ordinance *pur commune profit* that renewed the traditional measures that regulated London grain marketing.<sup>9</sup> In 1378 parliament renewed the 1351 statute of forestallers *pur commune profit*.<sup>10</sup> During the scarcity of 1391, Richard II issued a number of mandates to officials in different ports informing them that native and alien merchants could ship grain to England customs free. Those mandates all contained the same justification, *pro rei publice et relevatio populi*.<sup>11</sup> Finally, at the beginning of the famine of 1437–9 Henry VI ordered a prohibition on export of grain for the *commune bonum*.<sup>12</sup>

There can be little doubt that behind such language were religiously based moral values regarding a monarch's responsibility for the welfare of his subjects. This is made clear in Edward II's letter to the English bishops in 1316 during the Great Famine, which the king blamed on

<sup>7</sup> See Chapters 3–5. <sup>8</sup> CCR, 1313–18, pp. 308–9; *Foedera*, vol. 1 pt. 1, pp. 276.

<sup>9</sup> CCR, 1349–50, 391–2; *Foedera*, vol. 3 pt. 1, pp. 233–4.

<sup>10</sup> SR, vol. 2, p. 8, Ric II stat. i c. 2.

<sup>11</sup> TNA, C54/232 m. 10v; CCR, 1388–92, pp. 237, 348.

<sup>12</sup> TNA, C54/288 m. 20v; CCR, 1435–41, p. 138.

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excessive rains brought on by the sins of the people in failing to obey God's laws. The letter then goes on to express his pain and sorrow at the suffering of his subjects.<sup>13</sup> Similar language appears in commissions that Henry VI issued during the famine of 1437–9 to inquire into those who bought large quantities of grain to advance their individual interest without *visceribus pietatis* “bowels of pity” in time of scarcity.<sup>14</sup>

This leads to one other major point about the medieval, as well as the early modern, crown's regulation of the trade in grain. The interests and aims of the crown were not always the same as those of the consumers. In times of scarcity and rising prices, the crown regularly issued licenses to allow the movement of grain from various parts of the kingdom to ensure the supply of London and elsewhere. It also prohibited export of grain to meet the needs of domestic consumers and thereby prevent starvation or disorder and to fulfill the religiously sanctioned social and moral obligations of the ruler towards his subjects. At the same time, the crown retained the power to license overseas shipment of grain. Often such licensing was used to aid foreign allies or to meet other obligations or commitments, such as warfare in Scotland and France, that had to be supported by the shipment of grain and other foodstuffs out of the country, no matter the domestic consequences. Consumers, in contrast, were focussed much more on their own needs and those of their communities. It is clear from the behavior of late medieval food rioters that they believed locally produced grain should be consumed locally and should not be transported elsewhere, which would result in scarcity and high prices in their home areas.

It is not surprising then that, for example, most of the known medieval food riots occurred in ports and aimed to stop movement of grain either overseas or, in one case, to London. Those ports included Boston (1347), Lynn (1347 and 1405), Bristol (1347), unnamed ports in Kent (1347), Yarmouth (1375), and Southwold Haven (1438). Another riot, at Ipswich in 1438, involved the seizure of grain bought by London merchants, who intended to supply the city. The other locus of food riots was rivers down which grain moved. There was one at Thetford on the Little Ouse (1347) and at least three on the Severn close to the Forest of Dean (1401, 1428, and 1429).

After 1440, England entered into a new era of low grain prices, adequate to good harvests, and few scarcities and dearths. Major contributors to this change were population decline and rising real wages. One consequence was that, between 1440 and 1527, dearth measures

<sup>13</sup> Hardy (ed.), *Register of Richard de Kellawe*, vol. 2, p. 1119.

<sup>14</sup> TNA, C66/443 m. 27v; C66/445 m. 25v; CPR, 1436–41, pp. 266, 369.

were rarely implemented. An indicator of this change is that for most of this period grain appears to have been freely exported without license when the price of a quarter of wheat was below 6s 8d and barley was below 3s as allowed by the statute of 1445. The only major exception to this development was during the deficient harvests of 1481–2 and 1482–3, when the price of wheat and barley rose well beyond the 6s 8d and 3s per quarter base. In response Edward IV's government prohibited export without a license and ensured the shipment of grain to supply London's need. .

In Henry VIII's reign dearth and scarcity returned. Not only were there especially poor harvests years in 1520–1, 1527–33, 1535–7, and 1545–6 but also there were runs of multiple harvest years with above average wheat prices, 1519–22, 1527–33, 1535–7, and 1541–6. In the years 1519–22, town governments appear to have been highly active in responding to the needs of their inhabitants, while there is virtually no evidence of any actions taken by the crown. The magistrates of Coventry and Norwich, for instance, produced new market regulations to ensure that grain supplies coming to the town came to market and were not forestalled. They also bought grain to sell in the town markets to bring down prices, an action that the magistrates of Bristol and London also took.

It was the drastic failure of the harvest of 1527 that compelled the government of Henry VIII, led by Cardinal Wolsey, to action then and in subsequent years. That action mainly involved the revival of medieval precedents. The export of grain was prohibited and forestallers, regrators, and engrossers were to be vigorously pursued and punished. Considerable official efforts were also made to buy grain in foreign parts, especially for the supply of London and the king's possessions in France, first Calais and later Boulogne as well. As part of the campaign against forestalling and other market offences, Wolsey revived the commissions to search for grain that had been first issued in the reigns of Edward III, Richard II, and Henry VI. But there was considerable innovation in Wolsey's commissions, which were established in every county, rather than in a handful of local communities or counties as was the case with their medieval precedents. Also Wolsey's commissions were given wide search powers as well as authority to compel the owners of surplus grain to sell it in the market and authority to send those, who refused to comply with the commissions' orders, to London for punishment. After Wolsey fell and Thomas Cromwell became Henry VIII's chief minister he maintained the Cardinal's policies and added to them a vigorous campaign against illegal export of grain.

In the Henrician response to poor harvest another continuity with the past was the language used in the proclamations and other pronouncements

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that conveyed royal policy to local officials and the population at large. Frequently, the “common good” was invoked usually in the form of the “commonwealth,” along with the needs of the king’s loving but poor subjects. At the same time, the covetousness of forestallers and the like, who sought only their private gain and had no thought for the common good, was regularly condemned.

There was a major shift in the grain policy of Henry VIII’s government during the period 1544–6. The focus moved from the needs of the consumers to the supply of the king’s armies in Calais and Boulogne. In October 1545, after a poor harvest, commissions to search for surplus grain were revived in eight major agricultural counties. The commissioners, who were mainly purveyors, were authorized to search for surplus grain not to compel its sale in local markets but to supply the king’s armies in France. Despite the complaints of the Duke of Norfolk that in such a scarcity year there was little surplus, the king, who was directing this policy, pushed on. Proclamations were issued prohibiting the shipment of grain and other victuals except to three places, London, Calais, and Boulogne. It was only the peace with France on June 27, 1546 that ended this particular policy.<sup>15</sup>

With the return of scarcity and dearth in Henry VIII’s reign came food riots, although they were few in number. There were riots in London (1527), Norwich (1527, 1529, and 1532), Yarmouth (1527 and 1532), and on the Severn south of Gloucester (1531). Yarmouth was a port through which grain was shipped either to London or to various European destinations. Such exports provoked riots as was the case in the late middle ages. Norwich was an inland city with a sizeable population of textile workers who had a difficult time feeding their families during periods of high grain prices, hence the riots there. The Severn was the lifeline for Bristol and the riot there involved the seizure of grain bound for that city during a period of scarcity and its sale in Gloucester, which was probably also suffering scarcity.

During the period March–June 1528, there were other signs of popular unrest, which sometimes included talk of planned insurrections, in Wiltshire, Somerset, Hampshire, Berkshire, Suffolk, Essex, and Kent. Only in Kent does there appear to have been any likelihood of an actual insurrection. One element in that unrest was the high prices of grain after the failure of the harvest of 1527. Another was a stoppage of trade with the Low Countries between February and June 1528. Since Antwerp was the main market for English cloth, the trade embargo left English

<sup>15</sup> See Chapter 6.

clothiers with too much unsold cloth on hand that meant the threat of short time or unemployment for their workers, who were concentrated in the counties where popular unrest was most apparent. The final element, especially in Kent, was the failure of the king to repay the Forced Loan of 1522–3. Repayment was promised for 1524 but it never happened. By April 1528, there were signs of widespread discontent in Kent over the issue. The failure to repay the loan appears to have intensified the sense of impoverishment among some of the county's inhabitants that was originally caused by high food prices and the disruption of the cloth trade. The result was a failed attempt at insurrection in May.<sup>16</sup>

While the main focus of this book is on the crown's regulation of grain marketing in times of scarcity during the period 1256–1547, the final chapter turns briefly to the years 1547–1631 in the main to examine some of the issues raised by the responses of Henry VIII's successors to scarcity and dearth. Those responses were rooted in the policies of Cardinal Wolsey, who in turn, drew heavily on medieval precedents. After harvest failures in the reigns of Edward VI and Mary I, justices of the peace were authorized to conduct searches for grain, while a new parliamentary statute against regrating, engrossing, and forestalling, was passed in 1552. At the beginning of 1587, after the poor harvest of 1586, the Elizabethan government issued a book of orders that contained regulations that justices of the peace in each county should enforce in times of scarcity and dearth. It was reissued, with occasional revisions, during such periods up through 1631.

The book ordered the justices to conduct, with the help of juries, surveys of grain stocks and to compel owners to sell any surplus regularly in the market in order to lower the price for consumers, especially the poorer ones. After the opening of each market only the poor were to be served for the first hour in the 1587 edition or the first two hours in the 1594 and subsequent editions. The justices were also charged to try to persuade those with grain to sell to reduce their prices in the interest of the poor, while the clergy were urged to use their sermons to exhort the richer sort to sell grain to the poor at less than the market price. There were a number of additional measures for the relief of the poor that were included in every edition of the book from 1587 onwards. The only out of market grain sales allowed were to poor craftsmen and laborers in their home parishes. The book also recognized that lack of money made it difficult for the poor or unemployed to pay for food. It advocated supplying raw material to put the poor to work or increasing poor rates to

<sup>16</sup> See Chapter 7.



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supply them with money to buy food. If a parish had more poor than it could support, neighboring parishes with fewer poor were expected to provide financial help.

In addition to the book of orders, the crown implemented other dearth measures such as prohibitions on the export of grain, while encouraging the import of grain from abroad, especially the Baltic region. Also local officials in London and other towns raised money to buy grain overseas to supply their markets, which included selling grain to the poor at lower prices. Finally, the most traditional dearth measure that the crown marshalled during the age of the book of orders was rhetorical. In privy council letters and proclamations engrossers, forestallers and the like were routinely denounced for their covetousness and their pursuit of their own private gain at the expense of the poor and the common good. They were also condemned as dishonest and unchristian oppressors of the poor.

While the book of orders and the language of the common good represent forms of royal paternalism and appear to have similarities to the moral economy of the poor, they were not identical. In their localism early modern food rioters were much like their predecessors in the fourteenth and fifteenth centuries. It is obvious from the evidence of the behavior of crowds between the fourteenth and seventeenth centuries that they were governed by the set of norms summed up in the idea of moral economy that Thompson explored so memorably in his article on the eighteenth-century crowd.<sup>17</sup> Central to that moral economy was the belief that the market should provide the consumers with food at affordable prices, especially in times of scarcity. To achieve that end it was necessary for local and central authorities to regulate the market in the interest of the consumers. If the authorities failed in that duty, then consumers acting together were justified in direct action to enforce traditional or established regulations. Such actions included preventing the movement of grain by ship, cart or packhorse from a community where scarcity and high prices already existed or were feared. On some occasions, crowds seized grain shipments and returned them to the market where purchased and compelled their sale at less than the prevailing market price. On other occasions, crowds attempted to compel sellers in the market to charge less than the market price for their grain.

While the crown, during the period 1586–1631, displayed marked understanding of the needs of the poor and made every effort to respond to those needs with the book of orders and other remedial measures, its

<sup>17</sup> Thompson, “The Moral Economy.”



responsibilities were national rather than local. This meant that monarch and privy council had to undertake actions that ran counter to popular moral economy ideas enshrined in the book. The contradictions in crown policy are best illustrated in the necessary movement of grain in order to feed urban areas, especially London and Bristol.

Ensuring the grain supply of London had been a major concern of royal government during poor harvest years from the reign of Edward II through that of Henry VIII. Such concern continued in the period 1585–1631. In 1587, 1595–8, and 1630–1, the privy council regularly wrote to justices in southern and south eastern counties to lift restraints that either prevented properly licensed London dealers from gaining access to local grain markets or prohibited them from shipping grain to the city that they had already purchased in local markets. In some instances, there were riots to stop such movements of grain and keep it in the local community for its own use. One other indicator of the significance that the crown attached to the supply of London occurred in 1597 when the privy council issued warrants to officials in eight counties to allow licensed London buyers to make private, out of market, purchases of grain to meet the city's needs. This was contrary to language in the 1587 and 1594 editions of the book of orders, but in the 1595 and subsequent editions language was added that the privy council intended to issue further instructions on the supply of cities in the future.

Like the grain supply of London, that of Bristol had been an important focus of crown policy since the fourteenth century. In 1586–7 and 1595–7, the privy council wrote a number of letters to justices of the peace and town magistrates in communities along the river Severn to permit the movement of grain down river to Bristol. In 1586, the actions of impoverished cloth workers were a particular concern, when on two occasions they seized grain from river boats bound for Bristol that were moored south of the city of Gloucester, waiting for the ebb tide. Later, in 1597, the privy council's focus turned to Gloucester where the mayor had ordered the chains to be pulled across the Severn to prevent the shipment of grain to Bristol.

The grain needs of London and Bristol are only two among many examples of the problem of urban supply that the privy council had to deal with. On many other occasions in 1586–7, 1594–7, and 1630–1 the council was compelled to write to local justices in various counties to allow licensed dealers from many different towns to buy grain in local markets and carry it to their grain short communities. The local justices in these cases, as well as in the examples of those who resisted the supply of London and Bristol, no doubt justified their actions by claiming that the grain produced locally should be consumed locally, an assumption

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that appears to lie at the heart of the book of orders and the moral economy. But such actions and opinions reveal that there was not a single, nationwide moral economy but a series of localized, community based moral economies that either attempted to prevent grain from being transported out of a given area or were in competition with one another for the same grain. The privy council was the only institution that had nationwide concerns and acted, as contradictory as it sometimes was, to satisfy or prioritize as many competing interests as it could in times of scarcity and dearth.<sup>18</sup> Finally, at the end there is a brief discussion of the persistence of popular, localized moral economy ideas among poor consumers in the years after 1631, the last year in which the book of orders was enforced.

<sup>18</sup> See Chapter 8.