

# Between Regulation and Freedom



# Between Regulation and Freedom:

*Work and Manufactures  
in European Cities,  
14th-18th Centuries*

Edited by

Andrea Caracausi, Matthew Davies  
and Luca Mocarelli

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## PREFACE

ANDREA CARACAUSI, MATTHEW DAVIES  
AND LUCA MOCARELLI

Over recent decades studies in the economic and social history of medieval and early modern Europe have analysed the functioning of the labour markets, showing the multifaceted characteristics of manufacturing, its associated institutional mechanisms, and the variety of social groups involved.<sup>1</sup> Research has been focused primarily, even if not exclusively, on craft guilds and their role in regulating the main aspects of the labour market, with a particular attention to the entrance into the labour market, the mobility of labour and the organizational structures, including price- and quality- controls. Following the seminal work of Douglass North,<sup>2</sup> the neo-institutional approach has enriched the historiographical debates during the last thirty years, allowing new interpretations of the roles of guilds and other institutional mechanisms for economic divergence across Europe and Asia and within Europe.<sup>3</sup>

Apprenticeship as an institution has received significant attention. Some scholars have argued that craft guilds regulated the transmission of knowledge across generations, limiting opportunism between masters and apprentices, enabling the sharing of the costs and benefits of training among guild members, and monitoring entry to labour markets in order to avoid imbalances between supply and demand.<sup>4</sup> One of the most important

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<sup>1</sup> Steven Laurence Kaplan and Cynthia J. Koeppe, *Work in France: Representations, Meaning, Organisation, and Practice* (Ithaca Cornell University Press, 1986); Michael Sonenscher, *Work and Wages: Natural Law, Politics and the Eighteenth-Century French Trades* (Cambridge, Cambridge University Press, 1989); James R. Farr, *Artisans in Europe, 1300-1914* (Cambridge: Cambridge University Press, 2000).

<sup>2</sup> Douglass Cecil North, *Institutions, Institutional Change and Economic Performance* (Cambridge: Cambridge University Press, 1990).

<sup>3</sup> Stephan R. Epstein, Jan Luiten van Zanden, Maarten Prak, *Technology, Skills and the Pre-Modern Economy in the East and the West: Essays dedicated to the Memory of S.R. Epstein* (Leiden: Brill, 2013).

<sup>4</sup> Stephan R. Epstein, "Craft Guilds, Apprenticeship, and Technological Change in Preindustrial Europe", *The Journal of Economic History*, 58, 3 (1998), 684–713.

benefits of guild institutions, it is argued, was the creation and recognition of a market in skilled labour, through the issuing of apprenticeship certificates which enable skilled workers to be employed in the future.<sup>5</sup> Other scholars, by contrast, have pointed out that in reality guilds often failed to enforce apprenticeship contracts and that the institution of guild apprenticeships could limit participation in the labour market, excluding individuals or groups, and restricting competition by limiting the number of future masters.<sup>6</sup> Informal apprenticeship ensured instead the transmission of knowledge across generations even outside the guild system, and other institutions, as parishes, charity schools, hospitals, provided useful environments for transmitting skills across generations, and also sustaining wider education and religious instruction.<sup>7</sup> Private apprenticeship contracts agreed between masters and apprentices existed in a number of European societies, enabling skills transmission without exclusion. Finally, many apprentices did not complete their contracts and labour markets included large numbers of ‘failed’ apprentices.<sup>8</sup>

Similar considerations have been extended to regulations over female participation in the labour market. Previous interpretations argued that after 1348 women were drawn into the workforce, but became excluded once again as the population began to recover. Since the 1980s, social and gender historians in particular have shown how high-status trades normally excluded women, even though they worked independently in other occupations.<sup>9</sup> Guilds and other institutions imposed severe and strict controls on female training and granted work licenses only to widows of

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<sup>5</sup> For an overview see: Hugo Soly, Steven Laurence Kaplan, Bert de Munck, *Learning on the Shop Floor: Historical Perspectives on Apprenticeship* (New York: Berghahn Books, 2007).

<sup>6</sup> Sheilagh Ogilvie, “The Economics of Guilds”, *The Journal of Economic Perspectives*, 28, 4 (2014), 169–192.

<sup>7</sup> Clare Crowston, “Women, Gender, and Guilds in Early Modern Europe: An Overview of Recent Research”, *International Review of Social History*, 53, S16 (2008), 19–44.

<sup>8</sup> Chris Minns and Patrick Wallis, “Rules and reality: quantifying the practice of apprenticeship in early modern England”, *The Economic History Review*, 65 (2012), 556–579.

<sup>9</sup> Martha C. Howell, *Women, Production, and Patriarchy in Late Medieval Cities* (Chicago: The University of Chicago Press, 1988); Merry E. Wiesner, *Women and Gender in Early Modern Europe* (Cambridge: Cambridge University press, 2008); Marjorie Keniston McIntosh, *Working Women in English Society, 1300-1620* (Cambridge: Cambridge University Press, 2005).

male masters, and even then often under restrictive conditions.<sup>10</sup> Further studies have stressed a nuanced vision of women's work for some European regions. Sometimes the exclusion of women was not fully enforced, and females were able to work, particularly in labour-intensive trade; in a few cases, women even created their own independent guilds. Moreover in some regions, especially in the Netherlands, women were legally allowed to open businesses, manage enterprises and engage in their own independent activity.<sup>11</sup>

Geographical and occupational mobility have been also other areas of regulation by guilds and other labour market institutions. Studies in cultural history have shown how mobility was one of the most important features of medieval and early modern society.<sup>12</sup> A number of early modern institutions facilitated the arrival of persons from outside the locality (especially after demographic collapses) and allowed the creation of guild-like associations of foreigners, enhancing movement across geographical territories and assisting migrants in establishment themselves in their new cities. Migration to many cities underpinned the trades and guilds: most apprentices came from outside the city, and often from far distant regions. The issue is especially the dependence of cities on migration to sustain their economic growth, and hence the roles of guilds in trying to regulate this – in terms of access to markets and citizenship. Economic historians argue that institutions as the tramping system for journeymen facilitated the circulation of information and the diffusion of technologies across geographical areas, allowing small technical improvements.<sup>13</sup> Moreover, states and guilds also granted privileges to foreign inventors in order to facilitate their immigration; they also regulated various aspects of their activities, including labour mobility, employment, production, and labour contracts.<sup>14</sup> Studies in social and legal history have shown how other institutions blocked labour mobility across

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<sup>10</sup> Sheilagh C. Ogilvie, *A Bitter Living: Women, Markets, and Social Capital in Early Modern Germany* (Oxford: Oxford University Press, 2003).

<sup>11</sup> Danielle van den Heuvel, *Women and Entrepreneurship: Female Traders in the Northern Netherlands, c. 1580-1815* (Amsterdam: Aksant, 2007).

<sup>12</sup> James S. Amelang, *The Flight of Icarus: Artisan Autobiography in Early Modern Europe* (Stanford: Stanford University Press, 1998).

<sup>13</sup> Reinhold Reith, "Circulation of Skilled Labour in the Late Medieval and Early Modern Central Europe", in *Guilds, Innovation and the European Economy, 1400–1800*, edited by Maarten Prak and Stephen Epstein (Cambridge: Cambridge University Press, 2008), 114–42.

<sup>14</sup> Carlo Marco Belfanti, "Between Mercantilism and Market: Privileges for Invention in Early Modern Europe", *Journal of Institutional Economics* 2, 3 (2006), 319–338.

Europe, including at the infra-sectoral level. By issuing end-contract licences, employers could limit the free movement of people, blocking competition against their own firms and, again, guilds could limit movements across occupations prohibiting to work in two correlated or non-correlated sectors.

Finally, regulations have often been focused on wages and price-levels, including the quality of products. Whereas wage levels and wage bargaining were regulated at State, civic or guild level, negotiation between groups and organizations made it possible to supersede these restrictions and enhance flexibility in the labour market. The formation of wages was indeed non-standardized and depended on many factors, including not only time, skill and industry, but also the social position of the worker and its connection to the local context.<sup>15</sup> The same consideration can be translated to quality-control mechanisms. Some studies have argued that guilds imposed regulations on price and quality/standards, facilitating the expansion of trade and manufacturing. Collective guild trademarks are viewed as having helped producers to objectify product quality and intrinsic value, provided information on product origin and quality, and facilitated customers in identifying certain conventions. Non-guilded manufactures could profit from a more freedom environment, where new products and experiment could be enhanced.<sup>16</sup> Other studies did question the degree to which guilds could and did regulate the quality of goods. Some trades, especially foodstuffs and high-value goods such as gold and silver products, were intensively regulated. Others, such as the clothing industry, seem to have been more variable, partly because of the high degree of product differentiation and the nature of the consumer market. Evidence for the actual enforcement of quality control is often patchy, compared with the stated objectives of guild regulations.<sup>17</sup>

In general, the literature has focussed therefore on the role of the guild or guild-like institutions, creating a division between the ‘guild-regulated’ labour market and the so-called ‘free-labour market’. Moreover, there is a clear tendency to oppose regulation and freedom, neglecting on the one

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<sup>15</sup> Andrea Caracausi, “The Just Wage in Early Modern Italy: A Reflection on Zacchia’s *De Salario Seu Operariorum Mercede*”, *International Review of Social History* 56, S19 (2011), 107–124.

<sup>16</sup> Ogilvie, “The Economics of Guilds”.

<sup>17</sup> Matthew Davies, “Governors and Governed: The Practice of Power in the Merchant Taylors’ Company”. In *Guilds, Society and Economy in London 1450-1800*, edited by Ian Anders Gadd and Patrick Wallis (London: Institute of Latin American Studies, 2002), 67–83.

hand how guild or guild-like institutions can influence cities or regions where such institution did not operate and, on the other hand, how the latter can organize their activities independently. It is still quite unclear, for instance, how normative rules created by guild were effectively enforced outside guild jurisdiction or, on the other, how non-guilded territories can be affected by guild regulation. To what extent 'free' and 'regulated' labour markets were opposed? Or, to what extent were they integrated and operated and, especially, which was the impact for the relations between town and country, landscape and sectors? And, finally, to what extent guild and other institutions cooperated and interacted, in order to design policies to control migrant and foreign workers?

The seven chapters in this book address these questions from the perspective of case-studies, including single cities (as London and Venice), economic sectors (glass, building and cotton-making) and territories (group of cities or relation between town and countryside). They cover several areas of medieval and early modern Europe, including Italy, Flanders, England, Spain, and Eastern Europe, allowing fruitful comparisons across geographical borders.



## CHAPTER ONE

# CITIZENS AND “FOREYNS”: CRAFTS, GUILDS AND REGULATION IN LATE MEDIEVAL LONDON

MATTHEW DAVIES

Work on medieval craft guilds in the last 20-30 years has focussed on a variety of questions concerning their roles in urban society. Their social and religious activities have been examined by some historians, for example, while others have vigorously debated the nature of the impact which guilds may have had on urban economies and on production. One of the strands running through much of the research has been the fundamental question of the nature of the authority (broadly defined to include moral, social as well as economic) exercised by guilds, and the extent to which their activities and their memberships can be seen as an accurate reflection of the complexities of urban life and production. Guilds in many towns and cities were exclusive organisations, with particular criteria for membership and particular relationships with urban authorities. These need to be understood in relation to the function that such rules and relationships had within urban society: the need to regulate and organise, and to provide normative frameworks for the operation of urban economies and social life. Work on guild ordinances has, for instance, drawn attention to their normative characteristics, and to the wider variations that they often conceal. Michael Sonenscher’s work on trades in eighteenth-century Paris urged historians to look beyond concepts such as the “corporation” and the “artisan”, to consider issues such as wages, profits and the nature of “productive networks” in urban economies. When considering employment relationships, for example, he emphasised that:

corporate statutes and corporate decisions were cryptic summaries of a number of more extended dialogues: between masters and journeymen, between different groups of master artisans, and between journeymen themselves.<sup>1</sup>

A key tenet of much recent work on medieval and early modern guilds, is therefore that there was an apparent disjunction between the complexities of urban economies and productive networks and monopolistic guild statutes. This, in turn, has contributed to debates about the broader roles and significance of guilds. Some have seen this disjunction as further evidence of the growing irrelevance of guilds or of their stifling effect on innovation and entrepreneurship before the industrial revolution. Other historians have viewed this more positively in the context of a wider ‘rehabilitation’ of guilds: for example by suggesting that guild-based production was far from being incompatible with these complexities, with entrepreneurs able to expand their operations whilst still benefiting from the ‘institutionalised clustering’ which facilitated training, set and preserved standards, and promoted vertical and horizontal integration.<sup>2</sup>

In this context, for instance, historians have examined the extent of enforcement of regulations and standards by guilds in towns, a particular area where there was frequently a gap between legislative aspirations and practice. In medieval and early modern London, for instance, it seems clear that in some contexts enforcement of standards of production was very limited, with the market and the consumer perhaps permitted a much greater role than has sometimes been assumed, despite the rhetoric of guild and civic statutes. That was not true in some industries, especially food production and retail, where public health and the “common good” were central concerns, but was certainly more obvious in others, especially those where there was considerable product and market differentiation. There is a clear sense from some of the London guilds’ records that enforcement of ordinances was often targeted at particular areas, and was affected by prevailing economic and political conditions – the enforcement of sumptuary legislation in 1463, for example, only lasted a very short

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<sup>1</sup> Michael Sonenscher, *Work and Wages: Natural Law, Politics and the Eighteenth-Century French Trades* (Cambridge: Cambridge University Press, 1989), 40, 99.

<sup>2</sup> “Introduction”, in *Guilds, Innovation and the European Economy, 1400-1800*, edited by S.R. Epstein and M. Prak (Cambridge: Cambridge University Press, 2008), 10, 23. See also, amongst many other contributions to these debates, *Technology, Skills and the Pre-Modern Economy in the East and the West*, edited by Maarten Prak and Jan Luiten van Zanden (Leiden and Boston: Brill, 2013).

time after it was approved by Parliament.<sup>3</sup> Historians have, moreover, emphasised the importance of social cohesion as a factor in determining the care with which regulations were enforced among guild members in London. Too aggressive an approach might fracture social relations and endanger the guild as an entity, with implications for the benefits that, as noted above, some historians have ascribed to ‘institutional clustering’.<sup>4</sup>

These debates about the authority and roles of guilds in medieval and early modern Europe must therefore inform any discussion of the world of work more broadly, and specifically the activities of urban artisans who, for all kinds of reasons, were not guild members. In London, as in many other towns and cities, non-members were seen officially at least, as a threat to the livelihoods of the guild members, and to the reputation of the crafts in London. Petitions and statutes repeatedly drew demarcation lines, which emphasised access to markets and labour for guild members, and restrictions on the activities those who were not. Yet in London, as we shall see, most inhabitants eligible to become members of guilds, and hence citizens of the city, did not become members or citizens. What, therefore, was the scope and scale of non-guild, non-citizen production and distribution? How far did the guilds seek to limit such activity, and in what ways? To what extent did guilds in practice accommodate and even encourage non-guild craftsmen as a means to maximise business opportunities more broadly, despite the rhetoric of their statutes?

## Citizenship and the guilds in London

First, it is important to provide some background to the guild system in medieval London. Craft guilds are known to have existed in London in the twelfth century, often having a direct relationship with the Crown, but their proliferation and development as urban institutions was a particular feature of the period from the late thirteenth century onwards. A critical factor in their evolution was the development of the City government itself and, especially, the political and economic significance of the Freedom of the city. The Freedom had always been restricted to a select number of inhabitants of London, but by 1300, and enshrined in the royal charter granted to London in 1319, it was defined explicitly as obtainable only via

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<sup>3</sup> Matthew Davies, “Governors and Governed: the Practice of Power in the Merchant Taylors’ Company in the Fifteenth Century”, in *Guilds, Society and Economy in London, 1450-1800*, edited by I.A. Gadd and P. Wallis (London: Institute of Historical Research, 2002), 67-84.

<sup>4</sup> Derek Keene, “Livery companies: What, When, Why?”, in *Guilds, Society and Economy*, edited by Gadd and Wallis, 171-4.

one of the recognised crafts of the City. This was the latest in a series of strenuous efforts, led by the organised crafts, to protect the privileges of citizenship. In turn, this encouraged organisations to develop within the crafts (to varying degrees), as the “good men” of each craft were responsible for attesting the fitness of those who were put forward for the Freedom – either by apprenticeship (in 90% of cases), or by redemption (paying a fine), or by patrimony. The senior men of the crafts were also responsible, as delegates of the mayor (who acted on behalf of the Crown), for regulating standards of workmanship, the apprenticeship system, and other aspects of production. Over the course of the fourteenth century an increasing number of crafts submitted their ordinances to the City government for approval, although generally these were the “lesser” crafts rather than those which supplied the vast majority of the City’s rulers.<sup>5</sup>

The Freedom of the City of London, and hence access to political and economic rights and privileges, therefore became coterminous with organised crafts – inhabitants who obtained the Freedom were normally described in the sources as “citizen and goldsmith”, or “citizen and carpenter” to reflect this connection between recognised trades and political and economic rights. There are some important caveats. First of all, formal occupational labels hid a great deal of diversity and complexity within the urban economy, and in many cases a designation as “citizen and goldsmith/mercator/grocer” etc. did not reflect what an individual actually did for a living.<sup>6</sup> Not all crafts were organised into guilds in the same way or to the same degree, although by the early sixteenth century most of the differences had disappeared. The configuration of guilds shifted over the fourteenth and fifteenth centuries – many smaller guilds disappeared as they were swallowed up by larger ones, while one or two others split into separate associations for particular branches of the trades. But the basic

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<sup>5</sup> For this background see: C.M. Barron, *London in the Later Middle Ages: Government and People 1200-1500* (Oxford: Oxford University Press, 2004), 199-236; Matthew. Davies, “Crown, city and guild in late medieval London”, in *London and Beyond: essays in honour of Derek Keene*, edited by M. Davies and J.A. Galloway (London: Institute of Historical Research, 2012), 241-61; E.M. Veale, “The ‘Great Twelve’: Mystery and Fraternity in Thirteenth-Century London”, *Historical Research* 64 (1991), 237-63.

<sup>6</sup> See for instance E.M. Veale, “Craftsmen and the Economy of London in the Fourteenth Century”, in *The Medieval Town: A Reader in English Urban History 1200-1540*, edited by R. Holt and G. Rosser (London: Longman, 1990), 120-40.

linkage between the Freedom of the City and guild membership persisted and was strengthened as the guilds themselves became more powerful.<sup>7</sup>

How many freemen were there in medieval London? This has been the subject of much discussion by historians from Ekwall onwards. The population of the city fell from about 80,000 before the Black Death to around 40,000 in the late fourteenth century<sup>8</sup>. It remained fairly stagnant throughout the fifteenth century, and only began to rise again in the early to mid sixteenth century. The link between the Freedom and London's crafts meant that the emerging guilds had a key role in determining both the quality and quantity of those inhabitants who became citizens, and hence the degree of competition for markets and labour between them. Guilds in London, as in many towns and cities, introduced various ways of restricting their memberships, with apprenticeship often the main focus. These policies were rarely static, and often varied in response to perceptions of market conditions and the availability of labour, perceptions which also informed their lobbying of the City government and Parliament. In the forty years or so after the Black Death of 1348/9 the guilds rarely restricted, officially at least, the numbers of apprentices a master could take on, but such restrictions were introduced and then modified periodically in the fifteenth century: 41% of craft ordinances in a sample from 1451-1500 contained some sort of restrictions on numbers. Enrolment fees were another way to encourage or deter apprentice recruitment: while some guilds (e.g. the Mercers) raised theirs significantly, others such as the Tailors retained a low fee of 3s. 4d. well into the sixteenth century, despite a short-lived experiment with higher and differential fees for freemen and 'liverymen'.<sup>9</sup>

It is difficult to know exactly how many freemen there were, as few of the City government's freedom records have survived before the mid sixteenth century, and the records of only a proportion of the guilds (mostly the older, wealthier trades), provide information on membership. We also do not have inhabitants' lists for this period, such as those which survive from the late seventeenth century for example. However, the best estimates, based on Poll Taxes and other sources suggest that there were around 4,000 citizens in late medieval London. This number would have

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<sup>7</sup> Barron, *London*, 228-31; M. Davies, "Artisans, Guilds and Government in London", in *Daily Life in the Late Middle Ages*, edited by R.H. Britnell (Stroud: Alan Sutton, 1998), 125-50.

<sup>8</sup> Barron, *London*, 241-2.

<sup>9</sup> S. Hovland, "Apprenticeship in Later Medieval London, c.1300-c.1530" (PhD diss., Royal Holloway, University of London, 2006), ch. 3; M. Davies, 'Governors and Governed', 70.

represented about a quarter of the adult male population of late medieval London, and would also have included a small number of women who traded either as widows under the custom of London, or more rarely as *femmes sole*. The figures seem to be confirmed by guild membership lists which survive from 1501 for a large number of guilds.<sup>10</sup> More precise figures are hard to come by, but despite this what matters for the purpose of assessing the role of non-freemen and guilds in London is that, first of all, it is clear that freemen only constituted a small percentage of the population as a whole. Second, the evidence for restrictions on numbers of freemen in London cannot be understood in isolation: it needs to be placed within the broader context of productive networks and economic structures where demarcation lines and jurisdictions were often more complicated than implied by some statutes.

The documentary sources themselves present difficulties for trying to reconstruct the activities of “unfree” tradesmen. First it is important to understand the terminology used in the records. Those who were not freemen were generally described either as “foreigns” (*foreyns*, *forinseci*) or as “aliens” (*alyens*, *alientes*). The latter term was used for non-English people, migrants from the Continent in particular, who probably constituted between 4% and 6% of London’s population in the fifteenth century<sup>11</sup>. A “foreign” on the other hand was someone who was born in England and was a subject of the Crown – it was therefore applied both to tradesmen visiting London and to those who were living in London but who were not freemen and as we have seen it has been estimated that there were three non-freemen for every citizen in medieval London<sup>12</sup>. Distinguishing between different kinds of “foreigns” in the records is not easy, and as we will see the ways in which the term was used reinforce the sense of a fluid and dynamic urban economy, where a great deal of commerce was carried out below the radar, so to speak, by temporary visitors to London (eg. those who sold goods at the city’s many formal and less formal markets) as well as those who were there on a more long-term

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<sup>10</sup> *Two Early London Subsidy Rolls*, edited by E. Ekwall (Lund: Gleerup, 1951), 71-81; *Calendar of the Plea and Memoranda Rolls of the City of London: AD 1364-1381*, edited by A.H. Thomas (Cambridge: Cambridge University Press, 1929), vii-lxiv; Sylvia L. Thrupp, *The Merchant Class of Medieval London* (Ann Arbor, Michigan: University of Michigan Press, 1962), 50; For the rights and privileges of London citizens see Barron, London, 38, 77; Veale, ‘Craftsmen and the Economy’, 123-4.

<sup>11</sup> See *The Alien Communities of London in the Fifteenth Century*, edited by J.L. Bolton (Stamford: Paul Watkins Publishing, 1998), 1-40.

<sup>12</sup> Thrupp, *Merchant Class*, 49-50; Veale, ‘Craftsmen and the Economy’, 124.

basis. The official position regarding non-citizens of all kinds was clear enough: as well as defining the connection between citizenship and the crafts, the Charter of 1319 granted by Edward II to the City of London confirmed that traders who were not citizens could not sell their wares retail in the city and suburbs. They could only trade as wholesalers, leaving the citizens to the retailing. A subsequent charter of 1327 compelled merchant strangers to sell their goods within 40 days, and to live with a citizen host, not keeping their own households<sup>13</sup>. As we have seen, the rapidly organising crafts tried to protect and restrict the rights and privileges of citizenship, sanctioned by the City and the Crown.

### **Non-citizen craftsmen: occupations, commodities and regulation**

So who were the non-citizen tradespeople of medieval London, and what trades did they practice? How did their work intersect/overlap with that of freemen? What approaches were taken by the City government and the guilds? There is not space here to present a comprehensive picture, but what emerges from the sources is the differences between trades in terms of what might be called their permeability, or to put it another way, the extent to which economic conditions and structures, as well as the limitations of guilds' ability to intervene, allowed (and even encouraged) "foreign" skilled labour and production.

Petitions from guilds such as the Tailors, Skinners and other guilds in the late XVth Century, expressing concern about the impact of migration on the labour market, remind us that labour was often highly mobile within and around urban centres. One of the most important characteristics of London was its reliance upon migration – through the institution of apprenticeship it served to underpin the formal structures represented by the guilds and the Freedom. Most of London's apprentices came from outside the capital, and often from far afield – especially apprentices within some of the more prestigious trades.<sup>14</sup> However, migration also took place below the institutional radar, so to speak – as we have seen with the many references to hostels for newly arrived migrant traders and workers. We also need to see apprenticeship itself in perspective. While it was portrayed and celebrated as a means to integrate migrants into London society, the fact was that between 50-60% of apprentices never became

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<sup>13</sup> Barron, *London*, 38-39.

<sup>14</sup> Hovland, "Apprenticeship", ch. 1.

freemen.<sup>15</sup> This is not the place for a detailed discussion of the varied reasons for this, but it remains the case that those who became freemen were generally outnumbered by those who failed to complete their terms. What became of them? While a good number undoubtedly headed back to their places of origin (most apprentices came from outside London, and in many cases from the far corners of the country), it is likely that many remained in London having obtained the necessary skills to either be taken on by freemen, or perhaps to set up in business away from the scrutiny of their erstwhile masters and guild officials. In the decades after the Black Death, for instance, the city records contain numerous cases of apprentices who ran away in search of other opportunities, or who were enticed by other masters in those trades that depended upon skilled journeymen.<sup>16</sup> The key to this is the acquisition of skills – it is apparent, again from studies of the early modern period, that most of the “failures” occurred in the middle years of a seven year apprenticeship, by which time most of the necessary skills had been acquired.<sup>17</sup> Former apprentices may well have formed the backbone of many industries where economic conditions, informal policies and other considerations allowed them to practice their trades. We know very little about these “failed” apprentices, but they would almost certainly have provided a ready source of skilled (though technically “foreign”) labour for the freemen of the city. In the case of the fur industry, for instance, it has been estimated that about half the men identified as “skinners” in the City’s records between 1330 and 1350 were “foreigns”, essential to the functioning of the trade but perhaps too poor to afford the necessary fees to City and guild<sup>18</sup>.

The activities of non-citizens, who by definition were not formal members of guilds, invariably have to be seen through the lens of records produced by either the guilds themselves or the city government. As mentioned earlier, these often tended to present crafts and their members

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<sup>15</sup> Patrick Wallis and Chris Minns, “Rules and reality: quantifying the practice of apprenticeship in early modern England”, *Economic History Review*, 65 (2012), 556-70.

<sup>16</sup> For instance, in the fur and tailoring industries, see Elspeth M. Veale, *The English Fur Trade in the Later Middle Ages* (Oxford: Oxford University Press, 1968), 98-100; M.P. Davies, “The Tailors of London and their guild, c. 1300-1500” (D.Phil. diss. University of Oxford, 1994), 194-6.

<sup>17</sup> Hovland, “Apprenticeship”, ch. 4. For completion rates in the 16th and 17th centuries see S. Rappaport, *Worlds Within Worlds: Structures of Life in Sixteenth Century London* (Cambridge, Cambridge University Press, 1989), 394-5; I.K. Ben-Amos, “Failure to become freemen: urban apprentices in early modern England”, *Social History*, 16 (1991), 155-72; Minns and Wallis, “Rules and reality”, 556-579.

<sup>18</sup> Veale, *Fur Trade*, 116.

in a particular way – creating normative frameworks, which simplified what were often complex and varied practices within particular crafts. This applies most obviously in the case of occupational labels. The diversity of occupations in late medieval London has been emphasised by a number of scholars, notably Elspeth Veale, who was among the first to draw attention to the importance of the activities of non-citizen craftsmen in London. This was a natural feature of a dynamic urban economy, where there were many small, specialist trades linked together by skills and materials, with geographical proximity also a factor. As has been noted above, labels increasingly did not reflect this diversity, particularly when then came to be associated with the Freedom through one of the recognised craft guilds. By the fifteenth century, therefore, a great many occupations were “disappearing” from official records. In some cases they were hidden within broader designations: tanners came under the jurisdiction of the Leathersellers; linen-armourers were governed by the Tailors. Guilds such as these were essentially umbrella organisations for a range of trades, and in some of them it is likely that freemen were relatively few in number. In other cases it is likely that organisational structures were weak. A list of crafts drawn up by the clerk of the Brewers’ guild in 1421 contains a number of crafts which never enrolled ordinances or presented the names of their masters to the Mayor, as they had been required to do since the mid fourteenth century – such as the organmakers, stuffers and galochemakers. Informal supervision may have been in operation here, and again it is possible that there were relatively few freemen among them.<sup>19</sup> In other words, although the legal distinction between freemen and non-citizens was clear, variations in the extent of guild organisation were perhaps reflective of a more complex picture, where non-citizen craftsmen played a greater role in some areas of the economy than has been supposed. Historians such as Sarah Rees Jones have also emphasised some of the older traditions of labour regulation in towns and cities such as London, which in many cases pre-dated the guilds – or at least their formalization and association with citizenship. In other words, non-citizen labour had always been a feature of the economic landscape.<sup>20</sup>

Furthermore, it is clear that some trades in London fell wholly or partly outside the guild system as it developed in the later Middle Ages. In many cases these are what one might call service occupations – hostel keepers,

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<sup>19</sup> Veale, “Craftsmen and the Economy”, 128-9.

<sup>20</sup> Sarah Rees Jones, “Household, work and the problem of mobile labour: the regulation of labour in medieval English towns”, in *The Problem of Labour in Fourteenth-Century England*, edited by J. Bothwell, P.J.P. Goldberg and W.M. Ormrod (York: York Medieval Press, 2000), 133-53.

street cleaners, water carriers, boatmen, lime burners and so on, where guilds did not develop for a variety of reasons, primarily in some cases because the nature (or lack) of the skills and commodities involved, or the lack of sufficient “clustering” in particular areas of the city.<sup>21</sup> The records of the Carpenters’ guild, for example, contain numerous references to expenses incurred for water for their annual feast, purchased from “water bearers”, who were not, it seems, organised into a guild. As we have seen, there was particular concern about people who ran hostels of various kinds in London, and so it is instructive to note an ordinance of 1421 which stated that

henceforth no one be allowed as a bargemen, boatman, or ferryman, or as a hosteller or herberger, on or near the Thames, unless he be of approved character...<sup>22</sup>

The familiar criterion of “approved character”, commonly used in guild ordinances, was here being applied by the City government itself to workers who were outside the guild system. The same was doubtless the case with the “scavengers” and “rakers” employed within the city’s 25 wards to collect rubbish and clean the streets. They were not members of guilds either, but in order to protect local inhabitants and the reputation of the ward and the city as a whole, they would need to be overseen in some way.<sup>23</sup>

When we look at those crafts which were organised into guilds, and whose ordinances survive, there are some interesting and revealing apparent contradictions, which perhaps reflect these underlying realities. The ordinances of the Shearmen in 1350 were typical of many in stating clearly that:

no one of this trade shall keep shop, unless he be a freeman of the City, and have testimony that he is a good workman, by the Wardens of the same trade.<sup>24</sup>

In similar vein, the Glovers in 1349 specified that:

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<sup>21</sup> Veale, “Craftsmen and the economy”, 130-1.

<sup>22</sup> *Calendar of the Letter-books preserved among the archives of the corporation of the City of London, A-L* ed. R.R. Sharpe (London: Corporation of London, 1899-1912), Letter Book I, p. 263.

<sup>23</sup> Barron, *London*, p. 125-6.

<sup>24</sup> *Memorials of London and London Life in the XIIIth, XIVth and XVth centuries*, edited by H.T. Riley (London: Longmans, Green & Co., 1868), 247.

no foreigner in this trade shall keep shop, or shall follow this trade, or sell or buy, if he be not a freeman of the City.<sup>25</sup>

In other words, the “craft” was defined in these ordinances in very narrow terms, in keeping with the specific legal and economic rights that freemen had in London to buy and sell retail. Just as the guilds presented an idealistic picture of mobility within the trades (apprentice to freeman to master to guild officer), their ordinances at first glance define legitimate manufacturing and retailing activity in exclusive terms. The activities of foreigners in this context were seen implicitly and explicitly as negative and undermining of the rights and livelihoods of citizens.

Yet this was far from being the complete picture, and closer study of the guilds’ ordinances shows the extent to which non-free craftsmen hovered in the background and could not be ignored, even in such official documents. Take the 1358 ordinances of the Waxchandlers, for example, which ordained that:

all the Waxchandlers who are dwelling within the said city, and in the suburb, as well freemen as foreigners, who shall make torches, *cierges*, *torchys*, *priketz*, great candles, or any other manner of wax-chandlery, for sale, shall make such torches, *cierges*, *torchyz*, *priketz*, and all other things which pertain unto their trade, of as good wax within as without, making the whole thereof of the same wax.<sup>26</sup>

This is quite important in jurisdictional terms, as the ordinances of this guild (and many others) assert regulatory authority over all those who practiced the trade in London (and in the suburbs, which is another interesting feature) – regardless of their status. This too was consistent with the exercise of authority on behalf of the mayor. In other words, the definition of a “craft” could be simultaneously narrow (to restrict competition and access to markets), but also broad in order to achieve the same ends and in particular to ensure the quality of the goods made and sold. It underpinned, in particular, the rights of the guilds’ officials to “search” the shops and stalls of craftsmen throughout the city. The Waxchandlers’ ordinance also raises the possibility, if not the probability, that freemen and non-citizen tradesmen in certain industries were accustomed to working alongside each other, even if (as discussed below) there were periodic attempts to segment or ring-fence markets to preserve opportunities.

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<sup>25</sup> *Memorials of London and London Life*, ed. Riley, 245.

<sup>26</sup> *Memorials of London and London Life*, ed. Riley, 301.

Other kinds of documentary can also be helpful, although again they present the activities of non-citizens in a particular way – usually negatively. For example, surviving Wardmote records from the early 1420s provide an insight into local administration in the City of London's 25 wards. Indictments were presented to the ward Alderman and local jury, which aimed to deal with neighbourhood offences such as noise, illegal building work, and disorder. References to “foreigners” are scattered throughout the records: in the parish of St Mary Wolchurch in Broad Street Ward, Henry Kingston and his wife Joan, “foreigners” were said to have kept a shop and sold victuals openly. In St Augustine's parish (Bread Street Ward) Maute Kelly and Isabelle Sturmyn “are foreigners' wives, retailing and buying as freewomen”. Finally, in St Michael Cornhill (Farringdon Within ward), William Broke, yeoman “dwelling before St Martin's gate” was indicted for “keeping open shop like a freeman”.<sup>27</sup>

However, the small numbers and lack of consistency in these cases do not suggest a systematic policy of intervention. In many instances it is likely that there were some other reasons for their indictments – perhaps because of other activities which made them unpopular amongst their fellow residents, or because they went too far with their illegal buying and selling. Disorder and anti-social behaviour were particular causes of concern: an indictment was brought against Robert and Joan Sutton “newly come from Coventry” who “keep their doors open on divers nights until 11 or 12, having divers men who are strangers and unknown to the ward making a lot of noise”. The same theme occurs in another indictment, of Richard Taillour, a clerk, who “is a foreigner and dwells in Thames Street against the franchise of the city and is rebellious in that he is unwilling to obey his alderman or come at his command”.<sup>28</sup> Several other cases concern foreigners who kept hostelrys of one sort or another, resulting in disorder, especially among other foreigners who congregated there: “the cobbler dwelling before the gate of the Abbot of Waltham keeps a hostelry for strangers and is a foreigner”. The accounts of the Tailors' guild for 1454-5 provide a suggestive reference to a group of “*forinseci*” who “*occupavit istam arte in hospiceo de la dragon iuxta magnam garderobam*”. They had perhaps sensed an opportunity to secure casual employment at the King's Great Wardrobe, which was located on the western edge of the City. The Crown was not obliged to employ only Londoners and indeed some of those employed as King's Tailor in this

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<sup>27</sup> *Calendar of the Plea and Memoranda Rolls of the City of London, AD 1413-37*, edited by A.H. Thomas (Cambridge, Cambridge University Press, 1963), 129, 131, 136.

<sup>28</sup> *Ibid.*, 140.

period were aliens.<sup>29</sup> The nervousness about foreigners living together was a longstanding concern, which was reflected in the formal requirement for stranger merchants to live with London hosts while in the city.

Clearly visible here are some of the tensions that resulted from the movements of people and goods to and from London, which of course underpinned the city's economy.<sup>30</sup> While the officially constructed narrative of migration revolved around apprenticeship, integration and civic/guild careers, many migrants came to London by other means, and sought work on what the guilds defined as the margins of the urban economy. The tensions can be seen, for instance, in the case of John Dun a wiredrawer of London who in 1422 was described as "a maintainer and receiver of certain foreign men within his house and other places".<sup>31</sup> Perhaps these were newly arrived migrants who, rather like some of their modern day counterparts, sought accommodation in hostels while they picked up work of one kind or another. In due course they might get taken on as a labourer and servant, and eventually might earn enough to rent a chamber or small tenement.

The manufacture and retailing of food and drink is the area of the economy where the activities of non-citizens seem most visible, partly of course because of public health concerns that most urban governments prioritised in their ordinances and policing.<sup>32</sup> But it was also the case that many of these trades provided opportunities that other trades did not, especially around the margins of what the guilds defined as the formal economy. The retailing of "fast food" for example was notoriously difficult to police because it was relatively accessible to non-citizens, whether they were long-term residents or traders visiting for the day.<sup>33</sup> The Cooks' guild eventually took over the regulation of the Pastelers, who made pies and pasties of various kinds, and who at one stage had had ordinances imposed on them because of the allegedly unwholesome nature of some of their products. But it remained difficult to police an industry

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<sup>29</sup> M.P. Davies, "The Tailors of London and their guild", 171.

<sup>30</sup> B.M.S. Campbell, J.A. Galloway, D. Keene and M. Murphy, *A Medieval Capital and its Grain Supply: Agrarian Production and Distribution in the London Region c.1300* (Historical Geography Research Series, 1993), 172-80.

<sup>31</sup> *Calendar of the Plea and Memoranda Rolls, AD 1413-37*, ed. Thomas, 117.

<sup>32</sup> See especially C. Rawcliffe, *Urban Bodies: Communal Health in Late Medieval English Towns and Cities* (Woodbridge: Boydell and Brewer, 2013), 229-90.

<sup>33</sup> James Davis, "'Men as march with fote packs': peddlars and freedom of movement in late medieval England", in *Freedom of Movement in the Middle Ages*, edited by P. Holdon (Donington: Paul Watkins Publishing, 2007), 138-56.

<sup>33</sup> *Ibid.*, 150-53.

where there was such diversity in the commodities and markets/customers, and hence such opportunities for “foreyn” traders.<sup>34</sup>

As Judith Bennett has shown, the brewing industry in late medieval England, and especially in London, was another trade where a range of retailing practices allowed non-citizens to take part – at least until the production became more industrialised in the sixteenth Century.<sup>35</sup> The Brewers’ ordinances of 1482 reveal some of the complexity of trades where re-selling was a significant feature of retailing within an industry. According to the ordinances, no brewer was to maintain a “foreyn” to retail his ale within the franchise of the City’, but simultaneously the important roles of “huxsters” and “typlers” in the retailing of drink were emphasised.<sup>36</sup> Most hucksters were women, and in medieval London the term had a broad meaning, and included those who rented stalls in formal markets as well as those who were more mobile. Marjorie McIntosh suggests that some hucksters were modest independent traders in the fifteenth Century, although by the mid sixteenth Century most were probably poor<sup>37</sup>. Very few women in London were citizens, and this glimpse into their economic activities is a reminder that “women’s work is a particular victim in views of London’s economy drawn from the company [i.e. guild] perspective”.<sup>38</sup>

London’s economic dependence on its hinterland meant that the guilds had a similarly ambiguous relationship with itinerant sellers of food, livestock and other commodities. In 1440 the Poulterers specified that:

all foreign ‘pulters’ entering the City by Neugate and Aldrichgate sell their poultry on the pavement before the Friars Minors ‘besyde the welle’ and not elsewhere, under penalty prescribed; that ‘pulters deynseyens’ stand and sell in their appointed places, and meddle not with ‘foreyns’.<sup>39</sup>

The Cheesemongers in 1377 expressed similar concerns, recounting the difficulties of monitoring the trading of incomers from the suburbs and

<sup>34</sup> See M. Carlin, ‘Fast Food and Urban Living Standards in Medieval England’, in *Food and Eating in Medieval Europe*, edited by M. Carlin and J.T. Rosenthal (London: Hambledon Press, 1998), 27-52.

<sup>35</sup> J.M. Bennett, *Ale, Beer and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford, Oxford University Press, 1996).

<sup>36</sup> *Calendar of Letter-books*, ed. Sharpe, Letter Book L, 200.

<sup>37</sup> M.K. McIntosh, *Working Women in English Society, 1300-1620* (Cambridge: Cambridge University Press, 1995), 130-32.

<sup>38</sup> I.A. Gadd and P. Wallis, “Introduction”, in *Guilds, Society and Economy*, edited by Gadd and Wallis, 7.

<sup>39</sup> *Calendar of Letter-books*, ed. Sharpe, Letter Book K, 249.

surrounding counties, as well as from Wales, who brought cheese and butter to sell in London. Hucksters already resident in London were involved, buying from the visiting traders, and then re-selling the goods around the city, rather than on the markets where the guild was able to inspect the goods.<sup>40</sup>

These examples also emphasise the way in which the city as a physical entity was permeable – with traders coming and going on a daily, weekly or less frequently depending on the nature of their products and the markets they used. We should not therefore think of non-citizen “Londoners” simply as permanent residents, especially in areas on the periphery of the city – we should perhaps instead pay more attention to mobility and fluidity, not least on the physical margins of the city. We also need to bear in mind the extent to which a large range of consumer goods, not just foodstuffs, were in fact produced outside the city – another source of irritation to the guilds, if the ordinances are taken at face value. For example, in 1477 the Cobblers complained that

Foreyns dwellers w<sup>t</sup>oute the Fraunches and liberties of this Citee Cobelers and other not beryng any taxe lotte or scotte in the saide Citee daily brynge into the same Citee grete Nombre of Shoes and theym by the doseyne uttre and frely sell at their lib[er]tie and pleasure whereby the poore lyvving of your saide Besechers is gretely mynissed and appaired.<sup>41</sup>

Little wonder, then, that a number of guilds tried to extend their jurisdictions beyond the city limits into the suburbs by asking for new powers to be included in their royal charters.<sup>42</sup>

Many guilds therefore tacitly acknowledged the activities of non-citizen craftsmen and retailers, and in so doing made a point of trying to define distinctions between them and guild members. Geographical segregation was one way of doing this – both in terms of making sure that goods were bought and sold in the open and not in secret, but also to differentiate between citizen and non-citizen manufacturers and retailers. In 1370, for instance, the owner of the Tanners’ Seld (or market) in Friday Street asked the City government to reinforce the requirement that foreign tanners should only sell their hides at the seld, and nowhere else, because “the same tanners do now go and sell their wares as well through the

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<sup>40</sup> *Memorials of London and London Life*, ed. Riley, 405-7.

<sup>41</sup> *Calendar of Letter-books*, ed. Sharpe, Letter Book L, 154.

<sup>42</sup> Davies, “Crown, City and Guild”, 254-5; Patrick Wallis and Ian A. Gadd, “Reaching beyond the city wall: London guilds and national regulation, 1500–1700”, in *Guilds, Innovation and the European Economy*, edited by Epstein and Prak, 288-316.

streets as in their hostels, in secret”.<sup>43</sup> Several other sets of guild ordinances refer explicitly to “foreign streets” or “foreign lanes”, areas where unfree craftsmen of those trades were known to live and work.

Another case from the later fifteenth century was that of the Fruiterers, who complained in 1463 that their business was affected by traders coming to the city and selling fruit wherever and whenever they liked. The traders from outside the city were said to have kept their best fruit at the inns where they stayed, and then used resident foreigners and hucksters to sell the produce secretly. The poorer quality fruit was sold openly throughout the city. The guild was granted permission to compel foreign fruit sellers to sell only in certain places and on certain days of the week (Monday, Wednesday and Friday). By 1463, however, it may have been clear that the ordinances was simply unenforceable, and the guild asked the City government to allow free and foreign fruit sellers to stand and sell together as they had done before.<sup>44</sup>

In 1462 the City government itself tried another tactic:

The same day, it was ordained that the Basketmakers, Goldewiredrawers, and many other foreigners holding open shops in divers parts of the City, contrary to the liberty of the same, shall thenceforth cease to hold such shops within the liberty of the City, but live at Blancheapilton so long as there are tenements enough there.<sup>45</sup>

“Blanchapleton” was a small manor or district in the east of the city, which had a peculiar status in that although it was not a formal liberty, it was nonetheless outside the jurisdiction of the City and was clearly regarded by the authorities as a place where foreigners could (theoretically) be confined in order better to regulate their activities, and perhaps allow masters access to a ready source of labour. However, there is no evidence that this ordinance was enforced, and it does not appear to have been re-stated. This can perhaps be compared with equally unsuccessful attempts within some guilds to set up hostels for their newly qualified, but unemployed apprentices: in 1449 the ‘free sowers’ of the Tailors were required to live “in the commons” so that masters could “require and have suche servauntes sawers for competent wages by the day or by the garment”.<sup>46</sup>

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<sup>43</sup> *Calendar of Letter-books*, ed. Sharpe, Letter Book G, 260.

<sup>44</sup> *Calendar of Letter-books*, ed. Sharpe, Letter Book L, 31-32.

<sup>45</sup> *Calendar of Letter-books*, ed. Sharpe, Letter Book L, 37.

<sup>46</sup> *The British Atlas of Historic Towns, III: The City of London from Prehistoric times to c.1520*, edited by M.D. Lobel (Oxford, Oxford University Press/Historic Towns Trust, 1989), 66; Davies, ‘Tailors of London’, 211.