



Daniel C. Beaver. *Hunting and the Politics of Violence before the English Civil War.* Cambridge Studies in Early Modern British History Series. Cambridge: Cambridge University Press, 2008. xii + 173 pp. \$95.00 (cloth), ISBN 978-0-521-87853-1.



Reviewed by Roger Manning

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Commissioned by Brian S. Weiser (Metropolitan State College of Denver)

The Discordant Politics of Woodland Communities

Daniel C. Beaver's study of attacks on deer, timber, and other resources of royal forests and aristocratic chases and parks in early seventeenth-century England is an attempt to analyze the popular politics of these peculiar woodland communities. The influence of forest law and the customs of sylvan communities gave rise to a species of political discourse that was distinctly more violent than those of England's fielden or arable and pastoral areas. This violence arose from a politics of honor in the forests that involved an intense and sometimes violent competition among gentry families, leading often enough to attacks upon the king's deer (p. 8). For parochial gentry aspiring to county family status and office holding, the means to dispense gifts of venison or to set a table laden with venison provided the kind of evidence that was a prerequisite to such status.

Four of the five chapters in this book are devoted to case studies of unlawful hunting as well as other contentious or violent disputes about enclosures and use-rights granting access to timber, wood, pasture, etc., in different regions of southern England in the years pre-

ceding the outbreak of the English civil wars. Indeed, Beaver argues that the tensions produced by these poaching wars and other disputes about use-rights and tenures helped to set the stage for the coming internecine conflict. After the abolition of the Court of Star Chamber in 1641, the institutional means for settling such disputes were weakened, and the Assizes, Court of Chancery, and the House of Lords were left to deal inadequately with the continuing hostility. However, it probably could be said that no court had ever been devised to deal adequately with disputes arising from the gentry discourse of honor and violence.

For the hunting and enclosure disputes for which the author has records of the Star Chamber, he is able to construct a richly detailed portrait of local communities and their politics of resistance to Crown and gentry attempts to encroach on their common use-rights. Where the Star Chamber evidence is missing, he makes good use of intact collections of family muniments. Such communities were not always united in their attempts to resist seigniorial exploitation, and the ancient tenants, "pre-

sumably copyholders of inheritance—some of whom were often parochial gentry—were readily pitted against the more recent tenants and cottagers (p. 77). The more substantial tenants were not only literate but also often capable of arming themselves with legal arguments to defend their ancient use-rights. Like modern politicians, these tenants could also have injected irrelevant arguments into the disputes, such as asserting that the keeper of the pound for distrained animals in an Essex village suffered from gonorrhoea, and thus turned a phony issue into a legal defense against the charge that the pound keeper's death resulted from this loathsome disease rather than the beatings administered by the wives of the tenants (or the tenants dressed in women's clothing), which was represented as a perversion that had turned this little world upside down. The issues involved in the disputes were many and varied, but the author may be exaggerating when he suggests that a complex political system existed in these small communities (p. 75). In *Corse Lawn Chase*, Beaver suggests that the conflict in this Sylvan community not only arose from the fiscal needs of the Crown, which sought to secure more revenues, but also reflected the tensions arising from the impact of the Reformation and the fear of popery. That may be so, but he does not provide an adequate explanation for this complication of forest politics by religious issues.

Beaver's study demonstrates in detail how the regime of forest courts became increasingly intrusive and burdensome to the forest dwellers in the 1630s as contrasted with the more tolerant policies of the reign of James I. James's relationships with those who dwelled in or near Windsor Forest had allowed some room for negotiation about use-rights in the forest, but Charles I's fiscal feudalism, the reassertion of forest law, and the holding of a forest eyre (or circuit court of the forests) aroused much popular antagonism. The title of the book is somewhat misleading, since the focus is as much on enclosure, encroachment on commons, and the extinction of ancient use-rights as it is on unlawful hunting and the conflict that arose as a consequence of trying to preserve the royal forests and aristocratic chases and parks for the recreation of the king and the aristocracy.

The revival of the medieval forest eyre, Beaver argues, weakened the jurisdiction of the Court of Star Chamber, which formerly had adjudicated larger disputes concerning land use and unlawful hunting in the royal forests and chases, while the swanimote (or local court that punished offenses against the forest law) had dealt with smaller

disputes. Whereas a defendant might have hoped for a chance to present his case based on local custom in the Star Chamber, the justice who was administered by Henry Rich, Earl of Holland, the chief justice in eyre south of the Trent, in the swanimotes subjected every decision to the higher goal of preserving the king's deer for his recreation. The Star Chamber, although it had employed Roman law procedure, did dispense justice based on common law, whereas the principles of justice in the swanimote were unfamiliar and arbitrary. Eventually, after popular outcry increased, the Earl of Holland turned against the use of the swanimote and advocated negotiation with the forest dwellers of Windsor. The reforms did not come soon enough for the woodlanders, and, after 1640, popular protests in Windsor and Waltham forests took a more violent turn. In *Corse Lawn Chase*, Lionel Cranfield, Earl of Middlesex's indiscriminate prosecution in the Star Chamber of both gentry poachers and smallholders who had cut wood illegally, trivialized the proceedings of that court and created an alliance between the two that would not have existed otherwise. This ultimately led to the massacre of six hundred of Middlesex's deer in 1642.

These case studies of conflict in woodland societies on the eve of the English civil wars furnish a straightforward account of how hunting expertise provided a school of honor and gentility (p. 11). That hunting, both lawful and unlawful, might also have provided preparation for office holding and the exercise of magisterial authority is perhaps a leap of logic—unless Beaver is trying to argue that reformed poachers make the best gamekeepers. The author also summons up a lot of sociological and ethnographic theory to try to persuade readers that hunting was also a kind of religious ritual in a Protestant society that was busy casting aside ritual. A more plausible explanation of the gentry feuds, which unlawful hunting often masked, is the argument employed by writers since the time of Xenophon that hunting was preparation for and simulation of war. Beaver rejects the argument that hunting could be an alternative to or a simulation of war during what he calls "the long peace of the early seventeenth century" (p. 18). This was a time of halcyon days only if one chooses to ignore the perpetual religious and dynastic warfare that raged in mainland Europe, and which drew in many peers and gentlemen from the Three Kingdoms. One also wishes that the author had been better served by an editor who insisted on the inclusion of a glossary of technical terms.

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