

4. Resistance to enclosure

All through the eighteenth and nineteenth centuries, there was local resistance to enclosures - and especially to enclosures of common land. The actions of local people at Greenham Common in 1842 were not unusual, although passive and insolent resistance was no doubt more common than violence. It has been argued that the history of common land in England becomes inevitably the history of disputes about common land:

Disputes over common rights in such contexts were not exceptional. They were normal. Already in the thirteenth century common rights were exercised according to “time-hallowed custom”, but they were also being disputed in time-hallowed ways. Conflict over “botes” or “estover” (small wood for fencing, repair of buildings, fuel) or “turbary” (turves and peats for fuel) were never-ending; only occasionally did it arise to the high visibility of legal action, or (as with Weldon and Brigstock) to a punch-up between contiguous parishes, or to a confrontation between the powerful rich and the numerous “poor”, as in the disputed carrying away of “lops and tops”. But there cannot be a forest or chase in the country which did not have some dramatic episode of conflict over common right in the eighteenth century.¹

Professor John Stevenson, who has written or edited several works on public disorder and riot in England, gives an account of resistance to enclosure using specific examples and even includes an example of resistance to the award of some “poor’s land”:

Thus where violent opposition to enclosure was expressed it was often over the loss of rights to commons and wastes. While the legal owners of common rights were usually compensated by an allotment of land for the enclosure of common land, many marginal groups, such as squatters, lost their access to pasture, firewood and game which provided a significant portion of their livelihood. The extent to which the enclosure commissioners were prepared to recognise customary rights of common varied considerably and there was undoubtedly some truth in the allegation, even if exaggerated, that the loss of common rights removed one support for the poorest sections of rural society. Thus at Shaw Hill in Wiltshire in June 1758 ‘a large mob of weavers, labourers, and other disorderly persons’ assembled and cut down ‘the banks and fences of the gardens and orchards in that neighbourhood, under pretence that they were purloined from the common’. At North Leigh Heath, near Witney (Oxon), in 1761 a mob armed with ‘bludgeons and pitchforks’ attempted to destroy the fences put up by a recent enclosure. On two separate days they attacked the soldiers guarding the heath, but were repelled. Enclosures of a common sometimes united the opposition of the several parishes who shared the rights to it; for example the enclosure of Haute Huntre Fen in Lincolnshire was opposed by the people of eleven parishes who broke down the fences; in a similar incident the enclosure of waste ground at Redditch (Worcestershire) in 1791 also led to disturbances. At Sheffield in 1791 there were riots because of the enclosure of the commons at Stannington and Hallam; the rioters fired several ricks of hay and a number of houses, including that of the vicar of Sheffield, before being dispersed by troops. This was one of the few instances where enclosure rioters showed any inclination to voice wider protests, for there were reports of cries of

'No King', 'No Taxes', and 'No Corn Bill'. A more typical concern affected one of the last disturbances of the eighteenth century aroused by enclosures at Wilbarston in Northampton in 1799, when 300 people were dispersed by the Yeomanry after avowing 'their determination to resist the fencing out of a piece of land allotted to them in lieu of the common right'.²

There are many examples to illustrate that popular fury against enclosures did not diminish in the nineteenth century. It is possible to argue, indeed³, that with increasing demographic pressures and a growing dependence on by-employments, the importance of marginal benefits such as turbary and other fuel-rights would have grown in the nineteenth century, so that there was no reason for resistance to enclosure to diminish. As the writer of the *Bedfordshire Report*, writing in 1808, put it, "it appears that the poor have invariably been inimical to enclosures, as they certainly remain to the present day."⁴

It appears that violent resistance to enclosure was particularly prevalent in East Anglia:

Enclosure riots were also a common feature of life in the eastern counties. By its very nature enclosure was not likely to start a general movement of protest. It often came unexpectedly and village by village - but in many places the labourers protested, as ineffectively as they did against the machines, in the only way they knew. Labourers of Cowlinge were indicted at Assizes in 1817 for 'assembling in a body on the Green in that parish, and breaking down the fences of several inclosures on the wastes or green'. In 1825 and 1826 there was trouble in the large village of Chesterton, which led to the appearance at Quarter Sessions of four labourers who were fined between £5 and £20 and ordered 'to enter into securities for their good behaviour for two years' in sums of £50 and £100. '... in their zeal to remove what they considered to be an encroachment upon the waste lands of the parish', said the *Chronicle*, they 'not only levelled the fences, &c, but committed a violent assault upon John Cross, Mary Cross, and William Cross, by whom they were resisted.' When the enclosures of Stretham and Thetford commons were proposed, 12 or 14 armed men prevented the requisite notices being posted on the church door at Thetford. The official went back to Ely where special constables were sworn in and taken to the village. They were met by a crowd of 150. 'After a variety of attempts to obtain an entry into the chapel yard, all of which were ineffectual, the police were forced to retreat ...' As late as 1844 fences enclosing two acres at Folksworth were broken down.⁵

When the "Captain Swing" riots erupted in the early 1830s, there was a clear correlation between levels of violence and areas of recent enclosure. Berkshire was one of the most affected counties, and the Kintbury rioters (see Chapter 6 below) achieved national notoriety. There was great nervousness in Sonning, and although there was no rioting or rick-burning in 1830, the local MP and landowner Robert Palmer organised a nightly watch on horseback, with regular shifts manned by local notables like James Wheble, Edward Golding and Charles Simonds.⁶

In neighbouring Oxfordshire there were numerous examples of resistance to enclosure. Raphael Samuel described the predisposition to spontaneous violence in the village of Headington Quarry (now part of the city of Oxford):

It makes an early appearance in the Funeral Path disturbances which followed the Headington Enclosure Act of 1802, when Mr Lock, an Oxford banker, tried to fence in land which had been the traditional passageway for village burials. The villagers broke down the fences, and the vicar of Old Headington felt it prudent to take their side. 'The inhabitants of Quarry say that as they are to be deprived of their funeral path they will not come to Church at all, but intend to have a Methodist preacher come to them,' he warned the bishop. The disturbances broke out in 1805, and feeling was still running high two years later, to judge by the case which came before Oxford assizes in June 1807:

Wm. Coppock, Benjamin Bushnell, Charles Edington, and several other persons were tried for a riot at Headington, in this county, and for forcibly entering a paddock of Joseph Lock, Esq., situate in that Parish, which has been inclosed under the authority of an act of Parliament passed in the 41st year of the present reign.⁷

There were further anti-enclosure riots in Oxfordshire in 1830, the principal year of the Captain Swing disturbances, notably on Otmoor:

The resistance of the small farmers and other inhabitants of Otmoor in Oxfordshire to new drainage schemes had led to attacks on embankments before 1830, but the acquittal of some farmers for breaking down banks and hedges led to a wholesale attack on enclosures on Otmoor during July and August 1830 and the despatch of troops to the area. When prisoners were brought back in wagons to Oxford on 6 September they were released by a crowd drawn from those attending the annual St Giles's Fair.⁸

Disturbances around the Otmoor enclosure continued for a six-year period (1830-1835), and typically involved night-time attacks on hedges, fences and drainage ditches, often carried out by men with blackened faces, sometimes disguised in women's clothes. The formal "unenclosing" ceremony which took place at the moor on 6 September 1830 is said to have involved about a thousand people, who "repossessed" the common land and broke down all obstacles in their way.⁹

The Otmoor disturbances and those at Greenham Common were among the last violent actions of resistance to enclosure in England. The large-scale creation of new privately-owned farmland by enclosure had been substantially completed. Enclosure became much rarer, and after about 1870 very rare indeed. One of the reasons for this, ironically, was the taking over by the urban middle classes of the movements of resistance, through organisations such as the Commons Preservation Society and (later) the National Trust. The preventing of the enclosure of Berkhamsted Common in 1866, and the preservation of major sites such as Epping Forest, Burnham Beeches and Wimbledon Common, were in large measure the work of countryside-loving Londoners.

NOTES

¹ E. P. Thompson: *Customs in common*. London: Merlin Press, 1991, p. 104.

² John Stevenson: *Popular disturbances in England, 1700-1870*. London: Longman, 1979, p. 43.

³ See E. P. Thompson: *Customs in common*, p.106.

⁴ Cited J. L. Hammond and Barbara Hammond: *The village labourer*. New ed., p.43.

⁵ A. J. Peacock in J. P. D. Dunbabin: *Rural discontent in nineteenth-century England*. London: Faber, 1974, pp.46-47.

⁶ Angela Perkins: *The book of Sonning: the story of an English village*. Chesham, Barracuda Books, 1977, p.106.

⁷ *Village life and labour* / edited by Raphael Samuel. London: Routledge & Kegan Paul, 1975, p.153.

⁸ John Stevenson: *op. cit.*, p.239.

⁹ See J. P. D. Dunbabin; *op. cit.*, pp. 20-21, and Bernard Reaney: *The class struggle in 19th-century Oxfordshire: the social and communal background of the Otmoor disturbances of 1830 to 1835*. Oxford: History Workshop, 1970.