

B) Urban Conflicts and their Control

'They obey all magistrates and all good lawes and we thinke our cittie happie to enjoye them': Migrants and Civic Order in Early Modern English Towns

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In the second half of the sixteenth century foreign immigrants from the Low Countries, whom the English authorities called "Aliens" or "Strangers" settled in England on a large scale. It is estimated that some 50.000 men and women arrived in the country during the reign of Elizabeth I.. Officially they were regarded as Calvinist refugees fleeing the persecutions of the Spanish authorities in the Netherlands, unofficially, many of them were economic migrants who left their war-torn country in search of economic opportunities abroad. The majority established themselves in London and in the towns and villages in south-east England: Sandwich, Norwich, Maidstone, Southampton, Stamford, Colchester, Dover, Canterbury and other localities.

This paper looks at civic order and crime control in towns with large immigrant communities. It outlines the strategies of shared authority between urban magistrates and leaders of migrant communities to tackle crime amongst the newcomers. It also looks at the discourse among aliens and English on civic liberties and urban stability which was framed around concepts of economic fair play, the common weal and the Christian brotherhood. Examples are mainly chosen from the two biggest and most influential immigrant communities in sixteenth-century England: London and Norwich.

Dutch and Walloon immigrants found many contradictions in the reception they received from their host societies in England. Both newcomers and English authorities emphasized the Strangers' role as co-religionists and Protestant "brethren", who fled their homes "for the sake of true religion".¹ Magistrates and ministers of the immigrant (Calvinist) churches (which quickly emerged as the political and social centres of the aliens' lives) portrayed the newcomers as god-fearing, law-abiding people, who kept high standards of religious and social conduct and led exemplary lives, which could serve as role models for the native English population. This "brotherly" reception was, however, unmatched by the rules set down by central and local authorities to regulate the social and economic relations between newcomers and host community. As "aliens" the immigrants were excluded from the legal and economic rights of freemen, but burdened with additional obligations such as double-taxation and other extra charges. Although they were expected to contribute to the English parish collections of their place of residence they were not entitled to English parish relief and had to rely on their own, often very elaborate, but also costly relief systems organized by the refugee churches. Behind the rhetoric of Protestant

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¹ Johann H. Hessels (ed.), *Ecclesiae Londino-Batavae Archivum*, 3 vols., Cambridge 1889, vol 2, p.124.

solidarity, the motives of local authorities to invite Strangers and to grant them rather specific settlement and business rights, which were laid down in patents and charters, had been based on the hope for economic improvement particularly in the ailing English textile industry. Dutch and Walloon textile workers were renowned for their expertise in the production of new, fashionable fabrics and it was expected that they introduced these techniques into the English textile market. It is not surprising, however, that the economic activities of the Strangers swiftly emerged as the main focus of tensions between natives and immigrants. The second bone of contention centred around the retailing activities of the immigrants, which were swiftly and strictly regulated by magistrates' orders in all of the major immigrant towns. However, in spite of the very detailed laws restricting immigrant activities in order to prevent native envy, complaints about illegal business practices were endemic in all towns with large immigrant populations. Economic crimes, particularly breaches of the retailing laws (which limited the business activities of the Strangers to certain hours during the working day and prohibited them from opening shops) were quickly associated with aliens and prompted reactions on different levels of urban society, which ranged from violent protests to petitions at urban courts. However, threatening and hostile pamphlets written by enraged English artisans and journeymen, which are cited by historians such as Laura Yungblut and Ole Grell as indicators of a "legendary English xenophobia" and of increasingly violent retributions for economic crimes committed by the immigrants must be treated with caution.² It is unclear, for instance, whether the pamphlet pinned to the wall of the churchyard of the Dutch Church in London in April 1593, that predicted an uprising of 2,336 apprentices and journeymen, who would murder the Strangers unless they left the country until a certain date, actually led to an outburst of civic unrest after the expiration of the deadline.³ Mob activities against Strangers (who tended to cluster in certain areas of towns) certainly remained the exception and did not emerge as an organized form of "out-of-court justice" against unwanted competitors in an increasingly tight job market. Pressure from impoverished English artisans and businessmen threatened by alien merchants' competition usually took the form of petitions and complaints issued to the magistrates or to representatives of the immigrant community.

Crime control and punishment of (alien) offenders remained ultimately in the hands of the town magistrates. Urban authorities collaborated in these matters with immigrant leaders. Within the towns, a second tier of civic order was established in the form of various Strangers' councils. Two years after the first settlement of Strangers in Norwich in 1565, for instance, the magistrates ordered the representatives of the refugee communities to set up a committee of "Eight [Dutch] and Four [Walloon]" so-called Politic Men, who were responsible for crime control within their society. The committee, whose annually elected members were presented to the Mayor's Court for consent, met weekly to act as judges and arbiters in disputes among Strangers. Their sphere of competence ranged from "economic watchdog" (the committee registered apprenticeships among Strangers, punished breaches of economic laws and settled business disputes between immigrants) to the supervision of the orphans of the community. They vetted newcomers before accepting them as

² Laura Hunt Yungblut, *Strangers settled here amongst us: policy, perceptions and the presence of Aliens in Elizabethan England*, London 1996, pp. 2-3, 9, 115; Ole Peter Grell, *Calvinist exiles in Tudor and Stuart England*, Aldershot 1996, pp. 2-3.

³ Cited in George B. Harrison, *The Elizabethan Journals, being a record of those things most talked of during the years 1591-1603*, 3 vols., London 1928-1933, vol.2, pp. 236-237.

members of the refugee community, they kept registers of immigrant numbers, which were regularly checked by the magistrates. In many cases they also acted as guardians of their compatriots' moral conduct and manners, thus performing the role normally reserved for parish councils and church courts. Even violent crimes such as manslaughter and assault were occasionally dealt with by the Strangers' organizations without interference from the town authorities.⁴ The records of the Norwich committee give an interesting insight into the day-to-day business of the Politic Men, who tried to avoid appeals to the Mayor's Court, but would, as an ultimate source of justice, refer irreconcilable cases to the English courts. Cases that were eventually dealt with by the English authorities did not receive any special treatment by the Mayor's Court. Dutch and Walloon delinquents were treated with the same rigour as (but not harsher than) their English counterparts.

While breaches of economic laws set down by the English authorities constituted one characteristic "immigrant crime", the nature of exile and persecution led to an increase in crimes against the social order such as bigamy. In a world where families were torn apart men and women often set up new families abroad without having properly divorced their partners back home. It is not surprising, therefore, that these crimes featured disproportionately in Strangers' courts and influenced the detailed vetting process introduced both for newcomers and for prospective marriage partners. Banishment from the city, a punishment which fell outside the jurisdiction of the immigrant councils, was often requested for persistent offenders. In these cases, the Mayor's Court normally just executed the request of the immigrant leaders without undertaking their own inquiry.

The records clearly demonstrate the magistrates' rationale for the devolution of their power to alien institutions: Well into the early decades of the seventeenth century, the minutes were taken in Dutch or French rather than in English. Court cases involving men and women who were unfamiliar with the language, and, probably, some of the legal concepts of their host society, would have been much more difficult and time-consuming than a tribunal manned with Dutch and Walloon compatriots, whose integrity was guaranteed through a detailed vetting process, which was supervised by the English authorities. For the Strangers their courts were a welcome means to deflect the authorities' attention from immigrant matters while at the same time guaranteeing urban stability by close supervision and control of their compatriots' activities. English informers, who reported alleged alien crimes to English authorities were met with contempt and were severely criticised as trouble-makers. In many cases, immigrant leaders even pleaded at the central government in London for protection against spies amongst their midst.⁵

This system of devolved crime control remained intact well until the seventeenth century. It survived Archbishop Lauds attacks on the refugee churches and their institutions in the 1630s. It also survived the gradual decline in membership of the Dutch and Walloon churches in second or third generation immigrants, who increasingly regarded the acquisition of the status of a freeman as a more attractive road to economic and social success than membership in an immigrant network. Although the town council in Norwich, for instance, offered freeman-status to their

⁴ For a detailed discussion of the role of these committees see Raingard Eßer, *Niederländische Exulanten im England des 16. und frühen 17. Jahrhunderts*, Berlin 1996, pp.72-84.

⁵ Johann H. Hessels (ed.), *Ecclesiae Londino-Batavae Archivum*, vol. 3, No.263.

immigrant population under the same conditions that were required for native English freemen in 1598, active participation in town politics through committees and offices on the different levels of town government were apparently not attractive career paths for Strangers and their descendants. As freemen they fell under the English rather than the immigrant jurisdiction. In matters of business and politics, they preferred the informal networks that they had established both with their fellow-immigrants and also with members of the English urban elite. Typical “alien crimes” against retailing and apprenticeship laws did not disappear, but English guild representatives gradually replaced aliens as the prime target of poor freemen’s complaints with other “evil minded freemen ... not respecting their oaths of the general good”.⁶

Discussions among urban authorities, English economic interest groups and representatives of the Strangers employed the rhetoric of the common weal, of the Protestant brotherhood and of economic fairness. In a critique of the Strangers’ unlawful working patterns written by the London Weavers’ Company to the London French Church in 1595 the authors characterized the immigrant workers as follows: “They live not like strangers of another country, nor like obedient subjects to the laws and customs of this land nor like Christian brethren, nor like friends, nor like good neighbours.”⁷ To drive the point even further the weavers undertook an exercise in comparative jurisprudence by citing the Genevan town authorities’ measure when dealing with a large influx of English Marian exiles in the 1550s and pointing out that the economic restriction imposed upon those refugees were strikingly similar to what the English now requested from the Dutch and Walloon workforce in their midst. On a more positive note the town authorities in Norwich summarized the “Benefite receyved by the Strangers in Norwich for the space of tenne yeres”: “They for the most part feare God, and do diligently and lobarously attende upon their severall occupations, they obey all magistrates and all good lawes and ordynaunces, they lyve peaceablie amonge themselves and towarde all men, and we thinke our cittie happie to enjoye them”.⁸

These concepts of urban stability clearly left room for separate, if strictly supervised immigrant communities. Civic liberties as aspired by their English neighbours were, at least initially, not part of the aspirations of the Strangers, many of whom regarded their stay in exile as only temporary. The public debate on the legal status of French Huguenots and their descendants in England 150 years later took a very different turn. The factors that influenced the demand for general naturalization were based on changes in the economic and social climate of the time, which led to the passing of the General Naturalization Act in 1709.⁹ Town governments increasingly monopolized the supervision of urban stability and separate institutions for crime control alongside the established urban jurisdiction were no longer acceptable means to guarantee civic order in English towns.

⁶ Guildhall Library, London, MS 4647, 138, Anonymous report kept among the Weavers’ Company papers.

⁷ Guildhall Library, London MS 4647, 126-7.

⁸ Richard Tawney, Eileen Power (eds.), Tudor Economic Documents, 3 vols, London 1924, vol.1, p.317.

⁹ Daniel Statt, *Foreigners and Englishmen. The Controversy over Immigration and Population, 1660-1760*, Newark 1995.