Chapter 15

Charivari and Shame Punishments:
Folk Justice and State Justice in
Early Modern England

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Introduction

While historians of social control in early modern Europe have naturally
devoted much attention to punishment, the coverage has been uneven.
There has been a great deal of emphasis on the death penalty (in all its forms
and manifestations from hanging to breaking on the wheel), and on the search
for alternatives to capital punishment, such as transportation, from the seven-
teenth century onward. There has likewise been much interest in workhouses
and houses of correction, which with their ostensible purpose of reforming as
well as simply punishing the offender may be seen as precursors of the modern
prison. A theme that received considerable if unsystematic attention among his-
torians and jurists in the nineteenth century but has only recently begun to be
studied in depth by modern scholars is that of the shame punishments that were
very frequently meted out by early modern authorities. The pre-Reformation Catholic
Church and the church of the Counter-Reformation used public penance—involv-
ing such features as penitential garb, the bearing of a candle in procession, and
an act of contrition before the image of a saint—as a means of disciplining sin-
ers. Protestant churches for their part employed either a modified form of penance
or analogous procedures of congregational confession. The various forms of church
discipline were supposed to be primarily medicinal rather than retributive, rit-
uals of repentance, reconciliation, and reintegration rather than simple punish-
ments, but in practice their impact was often not much different from the shame
penalties imposed by the secular courts.

Foremost among these was the pillory, found in various forms all over
Europe. Basically a device for exposing the offender in public, it sometimes involved
a pair of wooden boards with holes to lock the head and hands in position, but
there were many variants. The stocks, a pair of boards to hold the legs, were rather
similar but were often used as a holding device rather than as a punishment. Other implements were the cucking-stool, a means of ducking the offender (in England most commonly a female) in water, and a large whetstone or millstone that offenders had to carry in the German punishment of *Steinetragen*. Plainly these penalties were not simply shame punishments in that those subjected to them also endured a degree of physical pain, or at the least acute discomfort, and indeed public exposure was often associated with corporal punishments such as whipping, branding, blinding, and the cutting off of nose or ears. Expulsion from the community, or at least loss of civic rights, was also a frequent concomitant. Moreover, a feature of such punishments was maximum publicity and exposure. It was common, for example, for offenders to be paraded round the town before and after their period of exposure on the pillory; often drums were played, trumpets were sounded, or pots and pans were vigorously beaten to attract the crowd and mark the ignominy of the offender with cacophony.3

Such usages are highly reminiscent of charivari, a topic that has in fact received far more historical attention than official shame punishments. The phenomenon may be briefly defined as a set of popular customs, variants of which have existed in many parts of Europe and over many centuries down to the recent past, which characteristically involved a noisy, mocking demonstration usually

occasioned by some anomalous social situation or infraction of community norms. If in form these customs had affinities with official shame punishments, they also embodied elements drawn from more festive contexts and in fact shaded off into a variety of popular customs associated with Carnival, Maytime, and other calendrical rituals. Often they were associated with youth groups and with festive associations such as Abbeys of Misrule. Charivaris varied greatly in scale and elaboration, while the mockery they invoked could range from mild and good hearted raillery to fiercely hostile derision. On occasion large numbers of people took part, and the proceedings could escalate into physical violence that put life, limb, and property at risk. The pretext for staging such demonstrations also varied. In France, the classic form of charivari—consisting essentially of discordant noise—was associated with the remarriage of widows and widowers and sometimes with such ill-sorted unions as when an old man married a young woman. Another kind of charivari, perhaps more properly called the *asouade* or riding the ass, took place when a wife beat her husband (plate 1). Indeed in many parts of Europe, the themes of female insubordination and of cuckoldry were very commonly associated with these customs.

Charivari, or—to use the term mostly used by historians of eighteenth- and nineteenth-century England—“rough music,” has traditionally been regarded as a bottom-up topic, quintessentially the manifestation of popular or plebeian culture. However, the accumulating work on official shame punishments invites a rather different perspective, stressing the interaction between popular and official forms and demanding further investigation into how far these popular customs were subject to official repression. The following detailed discussion focuses on England, but as will be seen there are affinities with the situation in France. Indeed the argument is probably relevant to other parts of Europe too, but a broader perspective will be possible only when more detailed research has been done for Spain, Germany, Italy, and elsewhere. As is appropriate for a topic concerned with the “world turned upside down,” I shall start in the eighteenth century and work backward. The advantage of a reverse chronological approach is to show how a historiography based in eighteenth- and nineteenth-century evidence has tended to obscure features of the topic that would have been more salient if a fifteenth- and sixteenth-century perspective had shaped approaches to the subject.

Riding Skimmington: The English Charivari

The English form of charivari was generally referred to as a “riding” or “skimmington ride.” Plate 2, an illustration to the 1710 edition of Samuel Butler’s *Hudibras* (1664), portrays a fairly elaborate version; but manifestations could be much simpler. Whatever the degree of elaboration, the main elements were
something to ride and one or more riders. The mount was variously represented by a real horse (occasionally an ass) or by a “cowlstaff” or “stang” (a stout pole) carried on men’s shoulders. Sometimes the victims themselves were made to ride. On the way they might be pelted with filth and could end up by being ducked, with or without the aid of a cucking-stool, put in the stocks, or simply run out of town. But often a substitute rider was found, customarily the “next neighbor” or, to avoid ambiguity, the “next neighbor nearest the church.” In other cases effigies were used. Very frequently, the rider was made to face backward, or if there were two figures they were set “bum to bum.” Sometimes the riders carried distaffs or spinning wheels, or were made to act out a scene of domestic disharmony, as in the illustration to Hudibras. Often the rider or someone else threw grain, sometimes mixed with dung, over the accompanying crowds, which could be large or small depending on location and circumstance.

Supplementary symbols were often present. Very common was the display of animals’ horns or horned heads, intimate female garments such as smocks or petticoats, and sometimes obscene pictures or other foul or suggestive objects such as rams’ stones (testicles) or a bull’s pizzle (penis). Another regularly occurring feature was a parade of armed men, sometimes elaborately accoutered with standards, armor, pikes, and guns, sometimes merely carrying staves or arms improvised from household or workshop tools like ovenlugs, coalrakes, and pitchforks (the last having the advantage of replicating the horns symbol). But by far the most common, indeed almost universal accompaniment to a riding was cacophony, also called “rough music,” though this phrase appears not to have been generally current before the early-eighteenth century—an ear-splitting din.
produced by the beating of pots and pans and other household utensils, the rau-
cous playing of drums and other musical instruments, the ringing of bells, and
the discharge of guns and fireworks.5

In England ridings were not particularly associated with youth groups,
though youngsters often took part. The sheer exuberance and elaboration of sym-
bolism invites exercises in decoding, which many historians have attempted, and
though some elements remain obscure or controversial, there is much agreement
on the main issues. I have discussed these themes in detail elsewhere. Suffice to
say that demonstrations characteristically convey a sense of order in disorder and
that images of reversal, inversion, and the crossing of boundaries are everywhere
apparent. Skimmington rides were one impressive embodiment of the well-known
topos of the “world turned upside down.”6

Print and Practice

Gazing at a contemporary engraving, such as that reproduced in plate 2, is a use-
ful way to begin the study of skimmington rides. However, it must of course be
recognized that such a representation cannot be read as a simple depiction of
popular customs but is a cultural product of some complexity. Butler’s
Hudibras, one episode in which was the basis for the illustration, was itself a sophis-
ticated political satire. Written just after the collapse of the English republic, in
the early years of the Restoration regime of Charles II, it deliberately employed
a folk motif, the skimmington ride, to mock political enemies and more gener-
ally to deride the killjoy “fanatics” of the Puritan revolution who had turned the
traditional political world upside down. Interestingly, the riding motif was imme-
diately reappropriated by Andrew Marvell, erstwhile servant of the
Protectorate, to serve the purpose of anticourt propaganda, exploiting the motif
in a scathing attack on the conduct of the Second Dutch War in his “Last Instruc-
tions to a Painter” (written 1667, published 1689). This association of the skimmington
motif with partisan politics persisted: charivaresque elements were prominent
in the symbolism used in the years 1679–1681 by the Exclusionists and anti-
Exclusionists (those for and against the statutory exclusion from the throne of
James, Duke of York, on the grounds that he was a Roman Catholic); they were
also present in Jacobite, anti-Hanoverian, and anti-Walpolean agitation well into
the eighteenth century.7

Marvell’s account appears to have been based on a real life incident, men-
tioned in Pepys’s diary in 1667, when a riding was staged at Greenwich for a
local constable.8 Here life may be said to have inspired art, but the reverse was
also true. There are indications that the publication of Hudibras reinforced, per-
haps even revived, the practice of riding skimmington in and about London in
the late-seventeenth century. Thus a riding was staged in Whitechapel in
January 1664, a month or two following the publication of Part II of the poem, in which the encounter with the skimmington occurs. Indeed, the literary connection was sometimes made explicit, as in a newspaper advertisement that promised that “at Hammersmith, near Kensington, tomorrow being Friday, will be rode a skimmington triumph, according to the manner described in Hudibras.” William Hogarth’s publication in 1726 of highly detailed illustrations to accompany the work was a further stimulus. More specifically, the term skimmington—which had originally been a local usage, probably confined to the west country and perhaps referring to the large skimming ladle that sometimes featured in these demonstrations—was also publicized, not only in Hudibras but also in other printed literature and images in the seventeenth century.

Widely publicized also was the normal occasion for a riding. It is true that there were some holiday usages for these customs, or something very like them; for example, the “riding” of people who refused to join in festivities. More generally, some of the forms had close affinities with holiday games and practices that involved mockery and mischief but were not necessarily directed against a specific offender. In particular, there were close linkages with Shrovetide and Lenten customs, Maytime, and (to a lesser extent) Christmas, New Year, and Epiphany. But there is no doubt that the characteristic occasion for staging a riding in sixteenth- and seventeenth-century England—attested both by the overwhelming majority of known examples and by a multitude of literary and iconographic references—was when a wife beat her husband or otherwise succeeded in dominating him. This was especially so if the matter became notorious—either because it was witnessed, because the man bore scratch marks or other signs of the assault upon his face, or because the wife openly vaunted her triumph or the man bewailed his fate in the presence of his companions. In 1678 an elderly clergyman of Bottle Claydon (Buckinghamshire), having been beaten by his wife, provoked a riding by being “so unadvised as to take notice of it yesterday in his pulpit.” Indeed such open knowledge, making it a public matter, was almost of the essence. That female domination was not merely an occasion but virtually the only pretext for mounting skimmington rides requires explanation, a point to which I will return. But in itself the significance of the occasion is easy to grasp. For a wife to beat her husband was an extreme violation of contemporary patriarchal ideals and hence an assault on fundamental values that threatened to turn the world upside down. As such, it demanded a spectacular and determined response to set things right.

In practice the morality of the situation was apt to be a little more complicated. It is noteworthy that in the illustration to Divers Crabtree Lectures, written by the popular poet and humorist John Taylor in 1639 (plate 3), the wife offers a reason for beating her husband: the man was a drunkard. The same theme emerges from many real-life examples of skimmington rides: the man was either drunk, a ne’er do well, sexually impotent, or otherwise unsatisfactory, or the marital relationship as a whole was profoundly dysfunctional. These traits might help
to explain why the husband was unable to maintain the authority expected of him and might offer, at least implicitly, some shred of excuse for the wife. This ambivalence may be the reason why in some ridings the man appears to have been the main target of attack, in others the woman, while on other occasions it is either unclear which of them is being victimized, or both appear to bear the brunt. The deficient man is as much a “domestic danger” as the termagant wife. This complexity made it possible to include both the motif of the riding and the topos of the world turned upside down in moderately thoughtful treatments, in pictures or in words, of the perennial problems of marital relations and the means of achieving a satisfactory match. The point may be illustrated by a series of engravings issued in 1628 and known to have been reprinted during the Interregnum and again in 1672. Of the twelve prints, one represents the figure of Woman in relation to the Four Elements—Earth, Air, Fire, and Water—and underscores the importance of balance between ingredients “that powerful can preserve and kill” (plate 4). Another is a powerful evocation of the World Turned Upside Down, showing the husband at the spinning wheel and the wife in the act of pulling on the breeches. A third introduces the motif of the riding, with the wife beating her husband in the foreground, while the accompanying verse animadverts on a dangerous imbalance:

Well worth to scourge, so weak a patch
Who with so strong a whore would match,
And cause the boys, theret make games,
By riding thus, to both their shames.13

Official Attitudes

Ridings and the ideas associated with them were thus a more complex phenomenon than might at first sight be supposed. They were not merely popular sanctions or folk punishments, but multivalent cultural products that could be manipulated in a variety of sophisticated ways. The attitudes of the authorities to the enactment of ridings were likewise not straightforward. In Gerd Schwerhoff’s terms, ridings were both an “object” and a “medium” of social control, in an ambivalent relationship to the law.14 The balance, moreover, changed over time. In the late seventeenth century, just as the idea of skimmington riding was being exploited for political ends by Butler and other authors, and as charivaresque elements were becoming stock motifs in populist politics, these customs were explicitly declared illegal by the Royal courts. To be sure, in practice little action was taken against them, but the fact of proscription is nonetheless significant. In 1676, on the basis of a case from Canterbury, the judges in King’s Bench decided that riding skimmington constituted a riot; by 1683 it was also decided that an action
for libel could be brought on the grounds of skimmington riding, and this was confirmed in a King's Bench judgment of 1693. Even earlier, at least by the 1630s, Church court judges had been willing to recognize ridings as a form of defamation. This was made explicit in the opinion of the ecclesiastical lawyer Dr. Thomas Eden on a Cambridgeshire case in 1638, “that to say that a woman hath beaten her husband, or to raise a fame thereof, or to make a riding (as the custom is in some places) for it, or to prepare in a public or open manner for such a riding, is a defamation of the parties, especially of the woman: and that the woman thereupon may have remedy (vidzt public reclamation and acknowledgement of wrong in the ecclesiastical court).”

Interestingly, Eden made explicit comparison with the French custom of charivari, which he described as “a like rude unmannersly custom.” That he used such derogatory language was also part of a trend, traceable from around 1600—a tendency, if not to condemn, then at least to discountenance ridings as “rude and unmannersly,” “uncivil,” associated with “base persons” or “lewd boys.” This tendency, which became more pronounced in the late-seventeenth and eighteenth centuries, represented a process of cultural distancing, but one that was only partial. On the one hand, the fundamental ideas underlying skimmington rides, focusing on the patri-
archal ideal and the condemnation of termagant wives, remained culturally central and shared by all social ranks. On the other hand, the actual performance of ridings was coming to be seen as plebeian or puerile—though even so the split was never total, and patronage of (or even personal participation in) ridings by members of the gentry and other elite figures can be documented well into the eighteenth century. A similar evolution, and similar ambivalences, has been traced in France in the same period.17

In terms of legal action, the English authorities in the early- to mid-seventeenth century intervened only rarely. Not surprisingly, skimmington rides tended to arouse alarm in the unquiet circumstances of the civil wars and Interregnum, not least because there were suspicions that the custom could be used as a cloak for political action. Thus, it was reported to Cromwell in 1651 that “Captain Barker is returned from Kent, having, with his troop at Deptford, routed two thousand that rose on the pretence of riding skimmington.”18 In the same way, the government of James I had been exceptionally wary of public disturbances in the aftermath of the Midlands Revolt of 1607. In more normal circumstances, ridings were likely to attract the attention of justices of the peace or other officers of the law when they were associated with severe violence, damage, or disorder. That the potential for such disturbance was, however, not inconsiderable may be inferred from what is probably the most detailed account of skimming-
ton riding to survive from the pre-1800 period, referring to two separate but related demonstrations on a vastly different scale at Quemerford near Calne (Wiltshire) in 1618. The first of them was, interestingly enough, repelled by the assertiveness of local women. But the force of the second was overwhelming. Thomas Mills of Quemerford, cutler, and Agnes his wife, deposed how about 8 or 9 A.M. on May 27:

there came to Quemerford a young fellow of Calne named Croppe, playing upon a drum, accompanied with three or four men and ten or twelve boys; and Ralph Wellsteede of Quemerford, this examinant’s landlord, and himself came to them as far as the bridge in Quemerford, and asked them what they meant, and they answered that there was a skimmington dwelling there, and they came for him. Whereupon Ralph Wellsteede answered them that the report of skimmingtons dwelling in Quemerford was false, and prayed them to depart the town, and the women of the town understanding that the drummer and his company came thither for a skimmington, they made towards the drummer and cut a part of his drum, whereupon he and his company departed homewards towards Calne. And about noon came again from Calne to Quemerford another drummer named William Wiatt, and with him three or four hundred men, some like soldiers, armed with pieces and other weapons, and a man riding upon a horse, having a white night cap upon his head, two shoeing horns hanging by his ears, a counterfeit beard upon his chin made of a deer’s tail, a smock upon the top of his garments, and he rode upon a red horse with a pair of pots under him, and in them some quantity of brewing grains, which he used to cast upon the press of people, rushing over thick upon him in the way as he passed. And he and all his company made a stand when they came just against this examinant’s house, and then the gunners shot off their pieces, pipes and horns were sounded, together with lowbells, and other smaller bells, which the company had amongst them, and rams’ horns and bucks’ horns, carried upon forks, were then and there lifted up and shown. And during the stand, some of the company, viz. William Wellwin of Calne, butcher, William Brooke and John Bray of the same, butchers, William Rawlins of the same, labourer, and Augustine Reynolds of Yatesbury, husbandman, together with a great number of others, whose names neither of these examinants doth know, made towards their house. And they both fearing lest some violence and injury should be offered them (the rather because at their bending towards their house, divers stones were thrown in at their windows, whereof some did hit both of them), Thomas Mills the husband locks the street door, and locks his wife into her chamber where she lay, and the company pressing hard against his house, he
opened the street door to see whether he could persuade the company to depart from his house, and presently the parties abovementioned, viz. William Wellwin, William Brooke, John Bray, William Rawlins, Augustine Reynoldes and divers others, rushed in upon him into his entry, and thence into his hall, and brake open his chamber door upon his wife, and she offering to escape from them by climbing a pair of stairs to go up into an upper room, William Well[w]in plucked her down by the heels being half up the stairs. And then he and the rest took her up by the arms and the legs, and had her out through the hall into the entry, where being a wet hole, they threw her down into it, and trod upon her, and berayed her filthily with dirt, and did beat her black and blue in many places, with an intent, as these examinants have credibly heard, to have had her (viz. Agnes) out of their house to the horseman, and to have set her up behind him, to carry her to Calne and there wash her in the cucking-stool, and if she would not be still and sit quietly, then to stuff her mouth with grains.19

The chief actor in this disorderly demonstration, the butcher William Brooke, had a record of unneighborly offenses, and of course butchers tended to be men of powerful physique and not noted for their sensitive disposition. His wife, interestingly enough, was soon to be prosecuted as a common scold, that is a habitual brawler and quarreler with her neighbors. Nonetheless, the incident is ambiguous. The large scale of the proceedings implies considerable local support and access to resources, and the description of the accoutrements of the riders nicely matches surviving lists of the armor and weapons in the town armory around that time. There would appear to have been a close link with the militia and with muster organization, a point to which we shall return. Part of the dynamic, moreover, was evidently conflict or rivalry between the town of Calne and the neighboring community of Quemerford, a suburb situated across a bridge on the other side of the river; such intercommunity tensions feature quite frequently in the English versions of charivari. Furthermore, however disorderly they may have appeared, the Calne skimmington riders implicitly claimed a quasi-legal purpose: their stated aim was to subject Agnes Mills to the penalty of the cucking-stool, the official punishment for scolds.20 Similarly, riders at Haughley and Wetherden (Suffolk) in 1604 claimed that the purpose of their demonstration was that “not only the woman which had offended might be shamed for her misdemeanour towards her husband, but other women also by her shame might be admonished [not] to offend in like sort”—a language of deterrence that paralleled numerous official pronouncements in courts of all kinds.21

It is instructive at this point to consider a plasterwork panel, dating from around 1600, which depicts both a wife beating her husband, who is forced to hold the baby and is presumably being punished for helping himself to beer, and the result-
ing riding (the main scenes are reproduced in plates 5 and 6). Interesting features include the presence of women in the demonstration, albeit in a back-up role; the representation of the way domestic disharmony became public knowledge; and the observation of the quarrelling couple by an authoritarian figure bearing a paper or parchment—perhaps the village constable. But the truly remarkable circumstance is that this frieze dominates the Great Hall of Montacute House (Somerset), built by Sir Edward Phelips, Master of the Rolls and Speaker of the House of Commons. That such a motif was included among the welter of Renaissance ornament that adorns the house suggests a remarkable degree of sympathy with this element of popular custom, even allowing that the frieze is situated in the hall—the interface with the outside world and the lower orders, not the great chamber where Sir Edward and his guests would dine in state, or the long gallery where they took their indoor recreation.22

Ridings and Official Shame Punishments

Whatever the motives of Sir Edward Phelips, it was not inconceivable to some contemporaries that the punishment of wives who beat their husbands might eventually be taken up by authority and incorporated into the structure of official sanctions; at least Thomas Lupton, an admittedly rather amateurish writer

Plate 5 “A Wife Beats Her Husband.” Detail from a plasterwork panel in the Great Hall, Montacute House, Somerset, ca. 1600. Photograph by B. S. Evans.
on penal reform, seems to have thought so in 1580. Condemning the custom whereby the next neighbor was made to ride, he envisaged instead an official version of the penalty for the unruly spouse herself:

she should have her husband's apparel put on her back, with a sword girded to her, and so should ride through every street in the town where she dwells; and the men that are her next neighbours shall guard her, and say in the streets as she rides, “This is the woman that hath beaten her husband”; and then she shall be put into a house appointed for unruly persons, where she shall have neither meat nor drink until she have earned it; and at the month's end, she shall go home to her husband again.23

This was not entirely fantasy, since beaten husbands and cuckolds were, or had been in the past, subjected to riding the ass and similar penalties as official shame punishments in some Continental countries. There are even occasional cases of the infliction of similar penalties in English court records. In the Cinque port of Rye (Sussex) in 1572, it was ordered that “Wodde’s wife shall go about the town with a basin [ringing] afore her and a sword and buckler on her shoulder, and her husband to follow her with a broom on his shoulder, which punishment is for biting away a piece of her husband’s ear and for fighting with him
and other beastly using herself towards him.” Such a case was, however, very rare: in England the beating of a husband by his wife was as such not normally the subject of official legal action. The features of skimmington rides that were close to routine official action were not the occasions but the forms. The rough music of basins, pots, and pans; the ignominious ride, especially facing backward or with mimetic elements and symbolic trappings, or both; the parade of armed guards—these features were very characteristic of urban justice and are recorded in exceptional detail for the city of London. Its late-fourteenth-century customs prescribed an elaborate series of punishments for adulterers and adulteresses, whores, bawds, and scolds. The penalties were graduated and involved various elaborations. But basic to all of them was the provision that offenders should be paraded through the city to the accompaniment of minstrelsy. Examination of actual cases in the Court of Aldermen in the fifteenth and sixteenth centuries reveals that these punishments were interpreted in ways strikingly similar to what we think of as ridings and rough music. The minstrelsy was frequently referred to as “vile” and was made not only by musical instruments but also by the banging of utensils. Actual ridings, when the culprit was made to sit backward on a horse and paraded round the streets, were also used. This punishment was generally inflicted for perjury, forgery, and deception but could also be visited on sexual offenders. The power of such penalties is suggested by the fact that, according to a contemporary annalist, three men ridden round the city and afterward pilloried for perjury and extortion in legal proceedings in 1509 “died all within seven days after for shame.” Whether this lethal “shame” was the gnawing of their own consciences (the court record itself refers to “conscience” in this case); whether their sense of self was fatally destroyed by their public exposure; or whether the brickbats and ordure that probably assailed them while they rode and as they stood in the pillory had something to do with their demise, remains tantalizingly obscure.

Although they were especially characteristic of London, similar penalties were also used in the sixteenth and early-seventeenth centuries in other towns. The backward facing ride, usually to the accompaniment of rough music and sometimes in association with the pillory, was also used by the Crown, particularly to punish cases of perjury, forgery, and official malfeasance. In 1543, when the notorious heretic hunter Dr. John London overreached himself by imprudently accusing some of the gentlemen of the Privy Chamber, the King’s Council ordered that he and his two associates should, among other punishments, “ride about Windsor, Reading and Newbury, with papers on their heads, and their faces turned to the horse tails” for perjury (plate 7). In fact riding backward became part of the normal repertory of punishments for Star Chamber, the Council in the Marches of Wales, and other prerogative courts, and cases were regularly reported throughout the sixteenth and early-seventeenth centuries. The punishment was also taken up by Parliament when it resumed its judicial function in the
1620s, employing the penalty against corrupt monopolists and speakers of slanderous words. A contemporary depiction of the parliamentary form of the penalty survives as “The manner and forme how Projectors and Patentees have rode a Tylting in a Parliament time.” Illustrating a pamphlet directed against the notorious wine monopolists Alderman William Abell and Richard Kilvert in 1641, it was apparently intended to indicate the fate that might lie in store for them when the Long Parliament came to consider their misdeeds. The luckless victim is shown riding backward, holding the horse’s tail. An attendant holds the bridle, while another goes before beating a dish; guards with halberds bring up the rear. Some people are watching from a window or gallery, others are in the open air, kept back by barriers. These arrangements suggest the crowd control that was surely necessary on these occasions, but figures in the background do appear to be aiming missiles—perhaps dung or other ordure—at the rider, whose gloomy expression tells its own story (plate 8).

Two points have emerged from the preceding discussion: first, that action against wives who had beaten their husbands or the abject spouse himself, or both, were normally independent of formal court proceedings, though very occasionally official ridings of this type are found and, more generally, a quasi-legal purpose seems to have been assumed; second, that the forms that these demonstrations took were in many respects very similar to official shame sanctions meted out by Crown,
Parliament, and civic authorities. These twin points may be illustrated further by comparing the City of London records with the diary of Henry Machyn, “merchant-taylor,” for the years 1550–1563. Machyn was an undertaker or supplier of funeral furnishings. His diary was primarily an account of important funerals in the City of London, but he also recorded other notable ceremonies and, in addition, the carrying out of official shame punishments. Comparing the diary with the records of the Court of Aldermen, it emerges that many of the official penalties noted in the diary can be matched with the court records and vice versa. Machyn also recorded two cases of ridings occasioned by the beating of a husband by his wife, in March 1562 and February 1563. But neither of these entries has a counterpart in the official city record. There is an account of yet another London riding, in the handwriting of John Stow, very similar in form to the entries in Machyn’s diary. Again there is no sign of this event in the city’s surviving judicial archives.29

Plate 8 “The manner and forme how Projectors and Patentees have rode a Tyling in a Parliament Time” (1641), from Thomason Tracts, British Library Shelfmark E156(16), p. 8. By permission of the British Library.

That these marital ridings were formally separate from the official punitive system is underscored by two features that emerge from Machyn’s descriptions. The first is that the person ridden was neither the termagant wife nor the beaten husband but the next neighbor. There was a legal basis for this practice in Continental jurisprudence: in Gascony around 1400, for example, it was prescribed not only that husbands who had been beaten by their wives should be paraded on an ass,
face to tail, but also that the next neighbor should lead the animal. This may have been designed to symbolize the duty of neighborly surveillance. In unofficial contexts, where the neighbor actually took the place of the husband on the horse or ass, the aim may have been to limit the possibility of violence toward the beaten husband or his wife. However, such proxy punishments were never ordered by the mayor and aldermen of London. The second point to note is that in their form the ridings, though broadly similar, did not precisely follow the city's usual arrangements either for rough music for harlots, bawds, and scolds, or for the backward facing ride imposed on cheats and perjurers. There were some unusual features, such as the use of a pole rather than a horse on which to ride the victim and the presence of some distinctive symbolic elements. Thus in 1562 Machyn recorded that “the 9 day of March, being Monday, one T. Traur a cook within Westmorland Place within Silver Street, rode upon a cowlstaff with a basket of grains before him, because that one of his neighbour’s wife broke her husband’s head, and cast grains on the people”; while in 1563 “the 22 day of February was Shrove Monday, at Charing Cross, there was a man carried of four men, and afore him a bagpipe playing, a shawm and a drum playing, and a score links burning about him, because his next neighbour’s wife did beat her husband.” The references to Shrove Monday and the torches probably indicate a festive element or occasion; as we shall see, this feature recurs.

Though the city fathers did not prescribe these ridings for termagant wives, they do not seem to have been particularly hostile to them. The ridings recorded by Machyn in 1562 and 1563 apparently did not land the participants in trouble, while the account for 1565 indicates a parade of such size and elaboration that it must have had the approval and support of virtually all the local inhabitants, including the most substantial: “the 30 day of April one man rode on two staves borne on four men’s shoulders at S. Katherine’s for that his next neighbour suffered his wife to beat him; there went with him nigh three hundred men with handguns and pikes, well armed in corsets.” The scale of this manifestation is explained by special circumstances. In that year, at the petition of the Armourers’ Company, the Court of Aldermen ordered a special civic watch of armed men to take place throughout London on May Eve. It was intended to be a serious occasion, without “any manner of cresset light, drumsadle or other minstrely,” but apparently the inhabitants of St. Katherine’s saw this martial event, a display of manly strength by the citizenry in arms, as an ideal opportunity to shame a beaten husband and his wife. As in the case from Calne in 1618, it looks as though skimmington riding was a by-product of muster organization.

The St. Katherine’s mentioned by Machyn was in all probability St. Katherine’s by the Tower, for this was one of the self-governing London liberties (areas exempt from civic authority) that had a long and firmly established tradition of independent judicial action. But such independence was really only a matter of degree. All the city wards and parishes that Machyn was writing
about operated to a large extent as self-governing communities. Presided over by the alderman and the alderman's deputy, policed by constables and other local officers assisted at all times by ordinary householders, they represented a world in which social control operated on a neighborhood basis, and many of the sanctions applied were informal ones. Official penalties were only invoked when informal ones were insufficient or had failed, or to make an example. Much the same was true of the wards and parishes of provincial towns and cities and, in a weaker but nonetheless still real sense, in small boroughs and country villages too. In the day-to-day keeping of the peace, they were to a large extent self-governing. To put the matter another way, though the actual administration of justice was (in our terms) the monopoly of the state, the maintenance of law and order was a much more widely diffused responsibility. In such worlds, it made sense to supplement the formidable battery of official shame punishments with a somewhat more jocular version. Though it would seem that these demonstrations could occur at any time of the year, the festive seasons of Shrovetide (associated with the purging of sins) and Maytime (linked both with the display of authority and the criticism of abuses) offered particularly suitable occasions as also did musters and watches, when virile virtues were on parade in a display of masculinity.

Yet this assumption of authority was a strictly limited one. It must be reemphasized that in this period unofficial ridings were not directed against offenders of all sorts but only (with the limited exceptions already noted) against dominant wives and their beaten husbands. The reason for this would seem to be not merely the unique cultural and political importance of this form of disorder but also its quasi-legal dimensions. It was a contemporary commonplace that the authority of the husband over his wife was analogous to that of the prince over his subjects: the two forms of authority were mutually validating reflections of a divinely ordained hierarchy. The maintenance of patriarchal authority was thus conceived to be a cornerstone of the commonwealth. Hence the termagant wife was guilty of something akin to petty treason. She was also responsible for breaking her marriage vow to love, honor, and obey; so there was an obvious link with the numerous civic punishments for perjury and deception. Moreover, “common scolds”—women who broke the public peace by continual brawling or contentious behavior—were legally subject to the cucking-stool or other penalty. It was really only a small step to the notion that termagant wives were also worthy of exemplary punishment.33 Thus we find quasi-judicial touches to the language Machyn used, suggesting that the ridings he described, though strictly speaking unofficial, were closely linked in his mind with authorized punitive practice: he concluded his account of the incident of 1563 with the comment that “therefore it is ordered that his next neighbour shall ride about the place.”34
The great pioneer in the study of charivari in England was the late Edward Thompson, whose point of vantage was the eighteenth and nineteenth centuries. By that period the associations between the popular customs of riding and rough music were much fainter than they had been earlier. The old civic punishments had gradually fallen out of use. The colorful parades of rough music and riding backward became routine as “carting” in the late-sixteenth and early-seventeenth centuries, then disappeared altogether after 1700; they had been replaced by the common law or statutory penalties of stocking, whipping, and incarceration. The abolition of the Star Chamber and other prerogative courts in 1641 was another blow to the official versions of ridings. More broadly, the framework of penal ideas and social values that had sustained both popular ridings and official shame punishments slowly altered, in ways that by the end of the seventeenth century had substantially diminished the communal element in the detection of offenders and the infliction of punishments, while as we have seen a process of cultural distancing tended to push the actual performance of skimmington rides and the like to the margins of society.

Partly through the work of early modernists, Thompson nonetheless grew increasingly aware of the links that these customs had had in an earlier period with official shame punishments, and in the reworked version of his ideas published shortly before his death he made some attempt to explore these associations. He was able to maintain his primary emphasis on the plebeian vitality and creativity of rough music, while acknowledging the strength of links with official forms, by suggesting that the phenomenon might be “ambivalent, . . . [moving] between the mockery of authority and its endorsement.” On the one hand, he recognized, the symbolism “owes much to authority’s pomp of awe and justice”; on the other hand, he insisted, it was “anti-processional, in the sense that horsemen, drummers, banners, . . . etc., mock, in a kind of conscious antiphony, the ceremonial of the processions of state, of law, of civic ceremonial, of the guild and of the church.” However, Thompson admitted that he did “not know whether the formal (legal) and the informal (customary) infliction of such punishments coincided in late medieval and early modern times or whether popular, self-regulating forms . . . took over to new uses forms that the authorities were ceasing to employ.”

On the basis of the information now available for the sixteenth and seventeenth centuries, some answers may be offered to these questions. Save for the occasional exception such as the Rye case of 1572, it would appear that in this period these charivairesque customs were distinctively nonofficial but ran parallel to and in very close association with legal shame sanctions that were in regular and lively use. It would probably be too much to say that the popular forms copied the official versions: rather the two were in a state of mutual interaction, both drawing on a repertory of motifs that, as was noted at the outset, have been very widely diffused in space and time. But certainly it can be said that, in the
sixteenth- and seventeenth-century context, ridings for beaten husbands were a jocular supplement to, rather than a satirical parody of, the battery of official punishments. That these customs were so closely linked with establishment structures and values helps to explain why—as I have argued in more detail elsewhere—there was no strong and sustained attempt to repress them. Admittedly, the custom of riding skimmington was likely to be undertaken with particular zest when the henpecked husbands occupied some position of authority, such as constable or minister, and, contrariwise, magistrates were inevitably wary of such occasions for ridicule. Instances of this kind may certainly be found—the derision of a constable in 1667 and the mockery of a clergyman in 1678 have already been noted in this essay—and may indeed have been especially likely to attract the attention of the authorities. In this sense, ridings did sometimes involve a touch of antiauthoritarian mischief. However, it must be concluded that in Tudor and early Stuart times such satire against the authorities was a relatively minor cadence in the theme of rough music. It was only by the eighteenth and nineteenth centuries, when the popular forms had drifted apart from the practice of official punishments, that they became more readily available for subversive purposes.

Notes

5. For examples of all these features, see Ingram, “Ridings, Rough Music and the ‘Reform of Popular Culture’.” Note that the beating of pots and pans was sometimes conducted without a riding, usually as a sanction against sexual transgression. However, there are complications in the interpretation of such cases: see Ingram, “Juridical Folklore,” 64, 72–74.
14. See Schwerhoff in this volume.
16. Cambridge University Library, Cambridge University Archives, CUR 13, no. 29 (I owe this reference to Dr. Alex Shepard).
31. Machyn, *Diary*, 278, 301.
33. Petty treason was the killing of a husband by his wife or a master by his servant: see the statute 25 Edward III, 5 c. 2. On scolds, see Ingram, “‘Scolding Women Cucked or Washed.’”
34. Machyn, *Diary*, 301 (my emphasis).
35. Thompson, *Customs in Common*, 478–80, 482.