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God's Disputed Acre

by DAVID DYMOND

> 'places consecrated to God [should] be venerated by all, and by no means profaned or in any way violated by a jarring or unsuitable activity, whether in working, jesting or playing …; [there should be] no laughter, shouting, immoderate mirth, indecent and indiscreet dances, indecent mockeries and harmful plays proper to the market-place or the stage': letter of Bishop Edmund Lacy of Exeter, 1451[1]

Old churchyards enshrine vast amounts of personal and social history, although most of it, sadly, is not recoverable.[2] Furthermore, they often display a romantic and touching beauty. When exploring villages and towns in all parts of Britain, many of us have been moved by the sight of a raised platform of hummocky turf surrounding an ancient Christian church, walled and gated, crossed by narrow paths, shaded by mature trees, dotted with leaning headstones and lichened table-tombs, perhaps with the weathered stump of a medieval preaching cross.[3] Above all we are impressed by the thought that most of the local population, over many centuries, lies here, 'each in

C&S = *Councils & synods with other documents relating to the English Church*, I: *AD 871–1204*, ed. D. Whitelock, M. Brett and C. N. L. Brooke, Oxford 1981; II: *1205–1313*, ed. F. M. Powicke and C. R. Cheney, Oxford 1964; C&YS = Canterbury and York Society; *EEA* = *English Episcopal Acta*; *REED* = *Records of Early English Drama*; *RSTC* = *Revised short title catalogue of English books*, *1475–1640*, London 1976, 1986, and *1641–1700*, New York 1982–94

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[1] *REED: Devon*, ed. J. M. Wasson, Toronto 1986, 328–9.

[2] Alternative names in documents include churchgarth or kirkgarth, church-hay, church-piece, graveyard, 'litten' and of course the Latin *cimiterium*. The word *atrium* can mean both churchyard and porch or galilee (*Dictionary of medieval Latin*). God's Acre is a term found elsewhere in Europe, for example in Flanders and Germany.

[3] Each churchyard was supposed to be 'decently surrounded by wall or hedge or ditch; no part occupied by buildings save in time of war; and with a decent and comely cross to which there may be a procession on Palm Sunday …': Statute of Worcester II (1229), in *C&S* ii/1, 172.

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his narrow cell for ever laid'. For example, a rural churchyard of half an acre at Widford in Hertfordshire is estimated to hold more than 5,000 burials, laid to rest over a period of at least 900 years.[4] Such places have witnessed many solemn rituals: consecration by a bishop, occasional claims of sanctuary, sad clusters of mourners around open graves, the commemorative prayers and bell-ringing of All Saints' and All Souls' days, parochial processions on Palm Sunday or Corpus Christi, and at all periods the lonely vigils of the bereaved.[5] Repeatedly opened and re-filled by generations of gravediggers, churchyards are potent reminders of human mortality which the living have mostly treated with respect, deep reflection and some superstition.[6]

In the last generation, much new work has been done on churchyards by different kinds of specialist. For example, botanists and zoologists have stressed the ecological richness of these relatively undisturbed patches of ancient grassland; in one Suffolk churchyard the local Naturalists' Trust has identified more than 300 varieties of wild flowers and flowering grasses. As a result of such work, the human management of God's Acre has undoubtedly improved in recent years, and earlier suburban tendencies, involving the close mowing of grass and the removal of gravestones, have mercifully gone out of fashion.[7] Meanwhile archaeologists have thrown light on the changing shapes and sizes of churchyards, on the complicated strata of soils and burials which produced 'cemetery platforms' well above their surroundings, on the medical significance of skeletal remains and on the biographical importance of monumental

[4] Clare Gittings, *Death, burial and the individual in early modern England*, London 1984, 140. Some graveyards around ancient chapels-of-ease were reserved to the poor, while the better-off were buried beside the mother church: *EEA*, VII: *Hereford 1079–1234*, ed. J. Barrow, Oxford 1993, 51–2, 58, 93–4. In the line quoted above from his 'Elegy written in a country church-yard', Thomas Gray forgot that earlier burials, particularly in towns, were often disturbed to make room for new.

[5] Consecration involved the setting up of several timber crosses with candles: *Pontifical services*, ed. A. Riley (Alcuin Club Collections xii, 1908), 44–5; *Liber pontificalis of Edmund Lacy, bishop of Exeter*, ed. R. Barnes, Exeter 1847, 42–4; W. Maskell, *Monumenta ritualia ecclesiae Anglicanae*, Oxford 1882, i. 242–52. For the early law of sanctuary see *C&S*, i/1, 24–5.

[6] Previous generations feared that the churchyard was 'more frequented with apparitions and ghosts than other places are', and therefore tended to avoid it at night: H. Bourne, *Antiquitates vulgares*, Newcastle 1725, 76. For superstitious uses of churchyard soil see M. Trevelyan, *Folk-lore and folk stories of Wales*, London 1909, 45, and I. C. Peate, 'Cockfighting in Wales', *Transactions of the Denbighshire Historical Society* xix (1970), 129. For the theology of 'the resurrection of the dead' see F. L. Cross and E. A. Livingstone (eds), *The Oxford dictionary of the Christian Church*, Oxford 1974, 1178–9.

[7] H. Stapleton and P. Burman, *The churchyards handbook*, London 1988; G. M. A. Barker, *Wildlife conservation in the case of churches and churchyards*, London 1972. The project known as 'Living Churchyards' fosters sensitive management in a growing number of English parishes.

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inscriptions.[8] Recent excavations indicate that the present church is invariably younger than the site on which it stands, because of repeated rebuildings and remodellings (Anglo-Saxon, Norman, medieval and post-Reformation), more or less on the same site. Some graveyards are thought to have preceded churches altogether; others have yielded pagan burials or are even associated with prehistoric sanctuaries. The great majority, however, are likely to have been created between the tenth and twelfth centuries as the enclosure required around strictly local churches, and therefore to have had a life of about one thousand years.[9]

Most historians and other observers have regarded churchyards quite simply and exclusively as places of solemnity, hallowed rest and tranquillity. In John Donne's imagination, for instance, they were 'the holy suburbs, and from thence begins God's city, New Jerusalem, which doth extend her utmost gates to them'.[10] In these specially dedicated plots of land parishioners, and sometimes strangers, were given elaborate Christian burial over many generations, 'in sure and certain hope of the resurrection to eternal life'.[11] Historically speaking, however, this is a rather incomplete and inadequate view because churchyards were also places of action and noise, of ambiguity and conflict. On the one hand, each yard was by canon law an entirely ecclesiastical possession, used by the incumbent but ultimately 'owned' by the relevant bishop. On the other hand, the laity of the parish had the customary right or privilege of burial there (providing they had not broken the Church's laws), and were given quite onerous responsibilities for maintenance and stewardship. Not surprisingly, therefore, this special enclosure became a 'political football' which was argued over repeatedly, and competed for, by groups of people who held very different attitudes and priorities.

Based largely on printed primary sources, the following pages are intended to chart the secular uses of the churchyard across the centuries, and to argue that this consecrated open-air arena generated special

[8] J. Jones, *How to record graveyards*, London 1976; R. Morris, *Churches in the landscape*, London 1989, 240, and 'The origins of churchyard burial', in R. Morris, *The church in British archaeology* (CBA Research Report xlvii, 1983); P. A. Rahtz, 'The archaeology of the churchyard', in P. Addyman and R. Morris (eds), *The archaeological study of churches* (CBA Research Report xiii, 1976), 41–5; Warwick Rodwell, *The archaeology of the English church*, London 1981, esp. ch. viii, and *The ruined and disused churches of Norfolk* (East Anglian Archaeology li, 1991).

[9] J. H. Bettey, *Church and parish*, London 1987, esp. ch. i; Morris, *Churches in the landscape*, esp. ch. iv; S. M. Pearce, 'The early church in the landscape: the evidence from North Devon', *Archaeological Journal* cxlii (1985), 255–75; Rodwell, *Archaeology of the English church*.

[10] 'Obsequies to the Lord Harrington …', lines 174–5.

[11] D. Wilkins, *Concilia Magnae Britanniae et Hiberniae*, London 1737, iv. 669. One theologically dubious view is that the dead lie in their graves *temporarily* because they await physical resurrection, as depicted in Stanley Spencer's famous painting 'The Resurrection, Cookham' (Tate Gallery, NO4239).

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opportunities and problems not experienced elsewhere. For hundreds of years, the churchyard was used for various secular purposes, most importantly for commerce and leisure. Throughout the Middle Ages, it was indeed the principal place for open-air gatherings of almost any kind, and in crowded towns or densely cultivated rural parishes was perhaps the only such space, just as the church itself was the largest building in the parish and was used for much more than religious worship and prayer. Nor, immediately, did the Reformation seem to make a great difference for, in certain places, nearly all these secular activities survived at least until the Civil War and some, indeed, until the time of the first Reform Act. Historically, it is of course undeniable that other social spaces were sharply contested such as commons, village greens, woods and forests, public streets, footpaths and, particularly after the Reformation, the interiors of churches.[12] Nevertheless, in the churchyard which was socially focal, highly sensitive and yet more free than the carefully segregated interior of the church, the various parties struggled more doggedly, with more mutual incomprehension and for much longer periods of time.

Two topographical points need to be made at the outset. First, in spite of the expression 'God's Acre', churchyards do markedly (and sometimes inexplicably) vary in size. Some cover more than one acre and some less, while individual examples have provably expanded or contracted in the course of their history. When first created, they were probably required by ecclesiastical authority to be of a minimum size. In the fifteenth century the great English canonist William Lyndwood quoted an earlier tradition that a churchyard around a minor church should contain thirty paces, and around a major church forty paces. This presumably implied a minimum radius all around the building of something like fifty to seventy yards.[13] Secondly, before the seventeenth century, although thousands of burials had already accumulated in the average churchyard, it had fewer surface obstructions than today and was more of an open space. It was probably scattered with grave-mounds, some with small headstones and others with the wooden crosses that are depicted in early manuscripts, but was not so cluttered with the large permanent fixtures which became common from the seventeenth century onwards.[14] This was particularly

[12] See, for example, E. P. Thompson, *Whigs and hunters*, Harmondsworth 1977; S. D. Amussen, *An ordered society*, Oxford 1988; M. Aston, 'Segregation in church', in W. J. Sheils and D. Wood (eds), *Women in the Church* (Studies in Church History xxvii, 1990), 237–94.

[13] William Lyndwood, *Provinciale seu constitutiones Anglie*, Oxford 1679, 253 note c. The word 'pace' is not defined but may have been equivalent to five Roman feet (a Roman foot was a little less than an English foot). A pre-Conquest minster may have qualified as a 'major church'.

[14] H. S. Kingsford, *Illustrations of the occasional offices of the Church* (Alcuin Club Collections xxiv, 1921), figs 41, 43–4. Sometimes churchwardens paid for 'makynge plane' or levelling

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true of the colder and more shaded part north of the church, often known as the 'wrong' or Devil's side, which was regarded (incorrectly) as unconsecrated and tended to be used only for the burial of suicides, executed criminals and those who were unbaptised and excommunicated.[15] That side often remained relatively empty until the nineteenth century, as an inspection of dated inscriptions commonly reveals.

In debating so-called 'popular culture' modern historians have often neglected the spaces which were adapted or created for leisure. These included commons, greens, streets, market-places, fairsteads, specially designated Playing or Game Places, guildhalls, church-houses, inns, alehouses and, of course, private homes and gardens. But of all public venues the churchyard has had by far the longest history, from late Anglo-Saxon times until the early nineteenth century, and it presents a specially rich opportunity for further debating and elaborating what Ronald Hutton memorably calls 'The rise and fall of merry England'.[16] As a result of arguments and changing attitudes, the use of the churchyard was not the same across the centuries, had regional or quite localised variations, and showed important differences between town and country. Inevitably this subject is bound up with other broader historical themes such as the relationship between the laity and clergy (particularly the higher clergy), views about the proper use of Sundays, feast days and times of divine service, and attitudes to popular recreation and social discipline in general.

Good documentary evidence first appears in the thirteenth century.[17] At this crucial period local churches were losing their proprietorial character and becoming more truly communal: the 'founder' or 'owner' was taking on the more subtle role of 'patron'; the parish was emerging institutionally with its own lay officers and sources of revenue; and diocesan bishops were exerting a tighter discipline over both clergy and laity. By means of orders called 'statutes' many bishops tried to enforce a more seemly use of consecrated buildings and land, based on concepts of 'decency', 'honesty' and 'reverence'. Three sacred places (*loca sacra*) were repeatedly specified: the churches themselves, their porches which had distinct sacramental and legal significance,[18] and their churchyards.

the churchyard, as at Lambeth in 1574–5: *Lambeth churchwardens' accounts*, ed. C. Drew, London 1941, i. 123. See also F. Burgess, *English churchyard memorials*, London 1963, and 'English sepulchral monuments', in *The Monumental Journal* xv, no. 3 (March 1948), 135–40; D. Cressy, *Birth, marriage and death*, Oxford 1997; R. C. Finucane, 'Sacred corpse, profane carrion', in J. Whaley (ed.), *Mirrors of mortality*, London 1981, 40–60; R. Houlbrooke (ed.), *Death, ritual and bereavement*, London 1989.

[15] T. F. Thiselton Dyer, *Church-lore gleanings*, London 1891, 157–9; E. Owen, *Old stone crosses of the Vale of Clwyd*, London–Oswestry–Wrexham 1886, 196–9.

[16] R. Hutton, *The rise and fall of merry England*, Oxford 1994.

[17] See *C&S* ii/1; 2.

[18] The unexpected mention of porches (architecturally not very common at this period)

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Bishops were certainly troubled by any physical neglect of churchyards, whether of the boundary, graves, grass or trees.[19] They repeatedly insisted that cemeteries should be effectively enclosed, and that defects should be mended quickly. Thus the records of ecclesiastical courts frequently mention repairs to the surrounding wall or 'mound', hedge, fence or pale (divided into 'marks' or 'panels'), ditch, gates, stiles and 'grate', and to the control of weeds, ivy and elder. The issue was more complicated when the responsibility for maintaining the boundary was divided, for example between individuals or tenements, or between a mother church and a dependent chapelry.[20] Fouling and rooting by a whole range of animals was another cause of complaint. In the early eleventh century, the so-called canons of King Edgar had stated that 'no dog nor horse come within the churchyard, still less a pig', but such offences remained commonplace. By canon law the herbage belonged to the incumbent; he was expected to mow the grass or graze it with sheep which were normally regarded as less offensive than other animals.[21] Another physical problem was encroachment where, for example, private houses and privies had been built, or yards laid out, over a churchyard. Probably more common in towns than rural parishes, this usually occurred on the perimeter and therefore reduced the overall dimensions. A related nuisance was the opening of private doors and gates into consecrated ground. Officially the only secular buildings allowed on God's Acre were those erected 'for the common good in time of war' and those provided to house clergy.[22]

probably reflects the Church's concern with marriage. In origin marriage was a purely secular contract; by the twelfth century it had come under ecclesiastical control and was conducted 'at church door': C. N. L. Brooke, *The medieval idea of marriage*, Oxford 1989.

[19] The Statutes of Exeter II (1287) give a good example: *C&S* ii/1, 1008–10.

[20] *Register of Edmund Lacy*, ed. G. R. Dunstan (C&YS lxii, 1967), iii. 273–8; (C&YS lxiii, 1971) iv. 314–18; *Report of the Oxfordshire Archaeological Society* lxx (1925), 75–117; *Churchwardens' presentments in the Oxfordshire peculiars*, ed. S. A. Peyton (Oxfordshire Record Society x, 1928), pp. lvii–viii, 10–12, 17, 56, 69, 79, 138–9; W. C. Renshaw, 'Notes from the act books of the Archdeaconry Court of Lewes', *Sussex Archaeological Collections* xlix (1906), 56–7; *Churchwardens' presentments (seventeenth century), part 1, archdeaconry of Chichester*, ed. H. Johnstone (Sussex Record Society xlix, 1947–8), pp. xxxiii, 44, 75–6, 112.

[21] *C&S* i/1, 323; *Register of John Waltham*, ed. T. C. B. Timmins (C&YS lxxx, 1994), nos 931, 935, 940, 950, 1078; C. G. Prideaux, *A practical guide to the duties of churchwardens*, London 1841, 181. In 1416 a huge stinking heap of offal and dung from the butchers' shambles spilled into the churchyard of St John the Baptist's in York, almost reaching the roof of the church and attracting birds and dogs which compounded the nuisance: *The fabric rolls of York Minster*, ed. J. Raine (Surtees Society xxxv, 1858), 248.

[22] *C&S* ii/2, 1009; Lyndwood, *Provinciale*, 253 note c. At York in 1409 a new tenement and latrine were found to be on the churchyard of St Andrew's, and all the houses on one side of a lane had private entries into the churchyard of St Martin's: *Fabric rolls*, 247. In 1339 Robert Lucy was accused of building a balcony on posts over the churchyard of St Martin's in Exeter; it interfered with processions and harboured 'rogues, actors, whores and other vile persons ... putting on stage-plays': *REED: Devon*, 319–20. The physical effects of encroachment are visible at Diss (Norfolk), where the south-western edge of the

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Finally, it was stressed that trees growing on consecrated ground belonged to the benefice, and should only be felled for the repair of the chancel. The laity had no right to cut down such trees or to use the timber for their own unworthy purposes ('in usus prophanos'), unless they were specially licensed; nevertheless, disputes between them and the clergy over this issue were frequent.[23]

Another concern in the minds of thirteenth-century bishops was all the secular activity which took place in churchyards, including markets and fairs, ordeals and legal pleas, courts and moots, and 'dishonest' games and sports. In the latter category specific mention was made of music, dancing, drama, the election of kings and queens, ales, wrestling and the use of quintains and dice. Such goings-on could lead to lasciviousness, quarrelling and violence, which were particularly reprehensible on Sundays and feast-days, and during mass. Two groups of offenders were specified (women who might indulge in wanton songs and dances, and clerks), but the emphasis was more often than not on the whole community. If, incidentally, a churchyard was defiled by bloodshed or by human semen, then reconsecration or 'reconciliation' was necessary.[24]

This early attempt at social regulation is rarely mentioned or appreciated by early modern historians, yet the basic concerns and reasoning of Anglican prelates, Puritan preachers and early seventeenth-century parliamentarians are strongly presaged by episcopal statutes of the thirteenth century. Already the great fear was that customary and festive behaviour could lead in two undesirable directions: to both personal immorality and social disorder. Nor were these problems new in the thirteenth century. Anglo-Saxon sources show that the Christian laity had long refused to compartmentalise life as bishops and kings increasingly wished, and thought it right that religion and secular life should constantly overlap and interact, in both time and place.[25] If religious faith gave joy and fulfilment, what more natural than to express those emotions, there and then, with vernacular music and drama? And why

churchyard is lined by several small and shallow buildings. On the other hand, churchyards were often increased in size, or needed re-defining after a dispute: *The cartulary of Worcester cathedral priory*, ed. R. R. Darlington (Pipe Roll Society, 1968), nos 295, 296. See also n. 93 below.

[23] In 1313 laymen cut down trees illegally in the churchyard of All Saints', Wallingford (Oxon), without licence of the rector, so the local dean was ordered to sequestrate the trees: *Register of Simon de Gandovo*, ed. C. T. Flower and M. C. Dawes (C&YS xl, 1934), i. 472–3. In 1391 a churchwarden who had felled churchyard trees without permission was to be beaten twice around the church, carrying a branch: *Register of John Waltham*, 121. In 1440 the vicar and parishioners of Broadhempston (Devon) had a long dispute over the felling of trees and mowing of grass in the churchyard: *Register of Edmund Lacy*, iii. 310–15. See also *Statutes of the realm*, London 1963, i. 221.

[24] *Register of John Gilbert*, ed. J. H. Parry (C&YS xviii, 1915), 94; *Register of Roger Martival*, ed. C. R. Elrington (C&YS lvii, 1963), ii. 318 ('sanguinis effusione pollutum'); Maskell, *Monumenta ritualia*, i. 254–64. [25] *C&S* i/1, 52, 310, 321; i/2, 320–1, 463.

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not dignify everyday commerce by bargaining and shaking hands on consecrated ground, providing that graves were not broken or human remains desecrated?[26]

Before the results of episcopal discipline can be assessed, two further general points need to be made. First, it must be understood that the church and its yard were used in fundamentally similar ways. Almost nothing which local people did in the churchyard they could not do in the church itself: witness the situation at Knotting (Beds.) on Shrove Tuesday in the 1630s, when cocks fought and wagers were laid 'in and about the sacred place where the communion table stands'.[27] Indeed, one fifteenth-century bishop wrote unequivocally that the church and churchyard are 'on an equal footing in law'.[28] This is why, for hundreds of years, most regulatory statutes, articles and canons have bracketed together the church, porch and churchyard. Even when, as a result of criticism and changing sensibilities, events were shifted from the church into the yard, one suspects that the fickle British weather might on occasions drive them indoors again! Secondly, virtually all our surviving evidence comes from the machinery of government, administration and the law. How, therefore, should individual cases of 'abuse', for example the playing of football or the holding of a market, be actually interpreted? Are they exceptional events in the parish, or the tip of an unmeasurable iceberg of customary practice? Does an increase in the number of cases mean an outbreak of lawlessness, or is it the effect of a disciplinary campaign? Should we view the actions of individuals and groups as different from those of whole populations? Must we give more weight to statutes, orders and by-laws than to individual legal cases, on the grounds that they probably indicate what local people did on a regular basis?

Whatever the answers to those questions, we can say that by the thirteenth century, at the latest, the lines of battle were drawn between the attitudes of high clerics and those of most of the laity, between an exclusively religious way of treating consecrated places and the complicated social reality. For several centuries thereafter, documentary sources yield many references to both the secular uses of churchyards and to official condemnations of such profanity. Was this merely a dialogue of the deaf, a ritual dance of mutual antagonism? Or can it be said, at any stage, that one side or the other was actually winning?

[26] The non-theological reasoning must have been that ancestors would not be offended, but that on the contrary they would be happy still to be so close to the living and their daily concerns. Is this attitude articulated in any surviving evidence? Anxiety was certainly expressed when the physical integrity of graves was threatened: *Fabric rolls*, 248; *REED: Shropshire*, ed. J. A. B. Somerset, Toronto 1994, i. 121–2.

[27] *Calendar of state papers domestic, 1637*, 508. For other similar examples see M. Ingram, *Church courts, sex and marriage in England, 1570–1640*, Cambridge 1987, 105, and J. G. Davies, *The secular use of church buildings*, London 1968.

[28] *REED: Devon*, 329.

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The first clear sign of success for the forces of discipline can be seen in the reduction, if not elimination, of markets and fairs. For example, in 1235 a market held in the cemetery and church of All Saints' at Northampton was moved by order of the king to 'an empty and waste place' to the north.[29] Still to this day, the open-air market of that town is held on the north side of the church, in a large rectangular 'square' which is divided by later infill into smaller areas bearing names like Wood Hill, Mercers' Row and The Drapery. In fact, All Saints' church and its yard now form an island at the southern end of the market-place. Likewise in 1261, in the tightly packed town of Shrewsbury, the king ordered that a market held in the irregularly-shaped double cemetery of SS Alkmund and Julian be shifted to 'Gunpestolstrete'.[30] Similar orders were made in other English towns.[31] This campaign to find more suitable and seemly venues for commerce was fortified by parliamentary legislation: the Statute of Winchester of 1285 commanded 'that from henceforth neither fairs nor markets be kept in churchyards, for the honour of Holy Church'.[32] Indeed, the offence was frequently a double one because many markets were held on Sundays. Although that practice had been attacked since King Athelstan's legal code of *c.* AD 930, Sunday remained the most common day for markets until the twelfth century.[33]

It is well known that, in parallel with those deliberate removals, a major economic and legal development was gathering pace. Between the late twelfth and early fourteenth centuries, the crown (and sometimes other magnates) granted hundreds of charters which, in return for money, gave manorial lords the right of holding markets in particular places on stated days of the week. Often a charter also included the right of running an annual fair lasting for several days around a particular feast of the liturgical year. These grants have justifiably been regarded as the legal origin of most weekly markets and annual fairs, and of the open-air spaces which contained them.

However, it must never be forgotten that marketing had often been carried on informally and unofficially for years, decades or even centuries before a charter was ever thought of. Such experiments may have been intermittent or occasional, but in some places had already become regular and weekly. For example, at Reepham (Norfolk) a customary market held on Sundays in a one-acre churchyard (containing no fewer

[29] *Calendar of close rolls, 1237–7*, 206–7. [30] *Calendar of close rolls, 1259–61*, 351.

[31] R. H. Britnell, 'The proliferation of markets in England, 1200–1349', *Economic History Review* 2nd ser. xxxiv (1981), 212; L. F. Salzman, *English trade in the Middle Ages*, London 1964, 124–5. [32] 13 Edward I, c. 6.

[33] Britnell, 'Proliferation of markets', 212; *C&S* i/1, 52, 55, 321, 352, 393, 440–1, 463, 478; Salzman, *English trade*, 123–6.

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than three parish churches) was first mentioned in 1240 when the king gave an order to move it.[34] Informal trading of this kind may have been attempted in almost any community and located on any convenient site, but the local churchyard must always be regarded as one possible, indeed very likely, candidate. The communal gathering for worship ('congregacio'), especially on Sundays and major feastdays, presented a 'heaven-sent' opportunity for buying and selling (particularly, one is tempted to suggest, when worshippers were leaving church). The longest surviving mark of this association is the fact that medieval fairs, which were originally part of local religious festivals, especially on the feast-day of the saint to whom the local church was dedicated, were often celebrated down to the nineteenth century.[35]

Thus, Sunday markets and trading in churchyards were strongly connected until a new and more compulsive system began to emerge in the late twelfth and early thirteenth centuries, driven by the converging interests of three major political forces: the crown, lords of manors and diocesan bishops. In return for much-needed cash the crown granted legal rights enabling manorial lords to run, and profit from, recognised and (usually) undisputed weekly markets.[36] With this went the incentive to designate or plan proper market-places, where they did not already exist, and sometimes separate fairsteads as well. As part of the process, traders were no doubt expected to abandon their earlier haunts, such as the churchyard where they were not under manorial control and had ever since Anglo-Saxon times been attacked by bishops for moral and religious reasons.[37] For instance, in the 1260s the episcopal statutes of Winchester prohibited public markets in churches or cemeteries lest they turn places of prayer into 'dens of thieves' ('spelunca latronum').[38]

As a consequence of these economic and political trends, the physical proximity of churchyards and market-places remains a frequent and historically significant feature of local topography. It is always possible in such cases that commerce was at first carried on unofficially between the graves, and afterwards was moved to a carefully defined new space which was, for the sake of convenience, adjacent or physically close.[39] The latter,

[34] *Calendar of close rolls, 1237–42*, 193. The new site at Reepham was immediately west of the churchyard; the official market charter was not acquired until 1276–7: D. Dymond, *The Norfolk landscape*, London 1985, 159–61.

[35] P. Sawyer, 'Fairs and markets in early medieval England', in N. Skyum-Nielsen and N. Lund (eds), *Danish medieval history: new currents*, Copenhagen 1981, 153–68; Salzman, *English trade*, 123.

[36] Britnell, 'Proliferation of markets', 211. For the economic history of a thirteenth-century market see R. M. Smith, 'A periodic market and its impact on a manorial community: Botesdale, Suffolk, and the manor of Redgrave, 1280–1300', in Z. Razi and R. M. Smith (eds), *Medieval society and the manor court*, Oxford 1996.

[37] *C&S* i/1, 52, 310, 321.

[38] Ibid. ii/1, 708.

[39] At Hingham (Norfolk) the market-place lies immediately east of the churchyard, and

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whatever its shape, may have been laid out with ease in 'an empty and waste place', as at Northampton. On the other hand, it may have been laboriously hacked from an already built-up area. Such re-planning, involving demolition and rebuilding, appears to have happened beside St Runwald's in Colchester (Essex).[40]

In some churchyards, however, markets and fairs continued to be held long after the thirteenth century, and even on the Sabbath.[41] In 1368 on the Isle of Sheppey (Kent) mass was interrupted on Sundays by the noise of market traders. At 'Byriton' (diocese of York) in 1398, the rector alleged that his parishioners had seized a certain place within the cemetery and established a public market; it had been the scene of legal pleas and even of a homicide.[42] Similarly in 1416 it was presented that 'a common market' was being held on Sundays and feastdays in the churchyard of St Michael le Belfry, in the very shadow of York Minster. Many kinds of goods were exposed for sale there, while horses trampled and excreted over graves, and services were disturbed by the clamour of 'those that stand about'.[43] In 1496 inhabitants of Worcester who sold merchandise at fair times within the cathedral cemetery were threatened with disenfranchisement.[44] At Riccall (Yorks.) in 1519 it was recorded that pedlars (*calatharii*) came on feastdays to sell their merchandise at the church-porch.[45] One certain reason for these later survivals is that they yielded useful income. In the late fifteenth and sixteenth centuries, during an annual fair, the churchwardens of St Edmund's in Salisbury received rents from cheese-sellers, butchers, tanners and other tradesmen for stalls and standings which were both outside and inside the churchyard.[46]

the larger 'Fairland' immediately north: P. Wade-Martins (ed.), *An historical atlas of Norfolk*, Norwich 1993, map 30. Of course a church or chapel may have been inserted into a market-place, with or without a cemetery. For instance Haverhill (Suffolk) has a market which was mentioned in Domesday; by *c.* 1135 its market-place contained a chapel (with graveyard) which became an independent parish church by the early fifteenth century: *EEA*, VI: *Norwich 1070–1214*, ed. C. Harper-Bill, Oxford 1990, 62, 160–1. In Wales and elsewhere, the existence of a 'sanctuary' extending beyond the churchyard provided another suitable venue for early markets: H. Pryce, *Native law and the church in medieval Wales*, Oxford 1993, 165–74.

[40] P. Crummy, *Aspects of Anglo-Saxon and Norman Colchester* (CBA Research Report xxxix, 1981), 51, 53.

[41] In 1448–9 an act of parliament was passed against the holding of markets and fairs on Sundays and major festivals: 27 Henry VI, *c.* 5. It graphically described 'the horrible defiling of their souls in buying and selling', but did not mention churchyards.

[42] W. Jonson, *Byways in British archaeology*, Cambridge 1912, 192; *Calendar of papal letters*, V: *1396–1404*, 89.

[43] *Fabric rolls*, 248.

[44] *REED: Herefordshire and Worcestershire*, ed. D. N. Klausner, Toronto 1990, 415–17.

[45] *Fabric rolls*, 271.

[46] *Churchwardens' accounts of St Edmund's, Salisbury, 1443–1702*, ed. H. J. F. Swayne, Salisbury 1896, pp. xxiii, 56 ('infra interiorem partem et exteriorem muri lapidis cimiterii ecclesie predicte').

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Sometimes archaeological and architectural evidence enriches the picture. An excellent example has been recently identified at Hadleigh (Suffolk), where a guildhall, almhouses, 'deanery' (rectory) and market-place all lay around the edges of a spacious churchyard. In the later fifteenth century a magnificent structure with double jetties and a covered passage, probably known as the 'market-house', was built across the front of the guildhall and directly opposite the church. On its ground-floor one can still see the doors and broad windows of several shops: they faced the market-place and covered passage, but not the churchyard itself – presumably for the sake of 'decency'.[47]

In much more recent centuries churchyards were still used for trading, mainly in the west and north of Britain, and bishops and archdeacons continued to ask 'whether there be any selling of wares in any church or church-yard?'[48] The canons of the Church of England issued in 1571 were specific about strangers, merchants and pedlars selling pins, points and ballads in cemeteries or church-porches on the Sabbath or during divine service.[49] Yet in 1615 the churchwardens of Askrigg (Yorks.) had allowed a market in their churchyard. At Llangernyw (Denbighshire) in 1749 five annual fairs were held in the churchyard: from temporary stalls pedlars sold earthenware, wooden utensils and wool, while butchers hung meat in the church-porch.[50] A fair in the churchyard of Pershore (Worcs.) was not suppressed until 1838, and then in the face of local opposition which necessitated the recruitment of special constables.[51] Fairs were also being held until the early nineteenth century in the very large churchyard of Laughton-en-le-Morthen (Yorks.) and even in that of All Saints' church in Northampton, from which the weekly market had been prised in the thirteenth century.[52] So traders, who usually seem to be no more than small pedlars, chapmen and victuallers, continued to haunt porches and churchyards (rather than churches themselves), particularly in the remoter parts of the kingdom; their appearances were probably occasional and depended, opportunistically, on those religious and social events which attracted larger than average crowds.

[47] Information was kindly supplied by Leigh Alston and Sue Andrews.

[48] *Visitation articles and injunctions of the period of the Reformation*, ed. W. H. Frere and W. M. Kennedy (Alcuin Club Collections xv, 1910), ii. 294, 405; *Visitation articles and injunctions of the early Stuart Church*, ed. K. Fincham (Church of England Record Society i, 1994), 136.

[49] E. Cardwell, *Synodalia*, Oxford 1842, i. 124–5.

[50] *Quarter sessions records*, ed. J. C. Atkinson (North Riding Record Society ii, 1884), 103; Owen, *Old stone crosses*, 124–5.

[51] William Andrews, *Antiquities & curiosities of the Church*, London 1897, 218.

[52] G. Baldwin Brown, *The arts in early England*, London 1903, i. 274.

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II

An early and quite typical case of recreation in churchyards is recorded in a late twelfth-century chronicle of Bury St Edmunds. Wrestling bouts and other matches between burgesses and the abbot's servants had attracted large crowds in the 'great churchyard' adjacent to the abbey church.[53] Inevitably words had led to blows, and blows to wounds and bloodshed. The abbot was shocked by this sacrilege and forthwith forbade all gatherings and shows ('conventicula') in the cemetery. In this and many other instances we are no doubt witnessing a conflict between authority and local custom, triggered by an outbreak of violence. Moreover, the abbot's order is unlikely to have prevented future confrontations for, in recreational matters, the opposing forces seem to have been more evenly matched over a much longer period of time. As late as 1797, the authorities in Bury were still worried about the playing of cricket and trap-ball in the churchyard, and the erection of stalls, when the assizes were being held in an adjacent building.[54]

For their part, the ecclesiastical hierarchy expressed their disapproval regularly in their visitation articles, repeating very largely the strong language used by bishops in the thirteenth century.[55] Thus in 1367 John Thoresby, archbishop of York, attacked wrestlings ('luctationes'), shootings ('sagittationes') and other harmful games ('ludi noxii') in sacred places because they caused sin and conflict, endangered human souls and greatly offended God and his saints. Such condemnation was bolstered by the appearance of a new form of moralistic writing. For example, in 1303 Robert Mannyng of Lincolnshire in his 'Handlyng Synne' castigated many activities in the church or churchyard as sacrilegious and shameful, especially when the priest was at mass: these included dances, instrumental music, singing, games, wrestling and dramatic interludes.[56] Similarly John Myrc in his well-known 'Instructions for parish priests' (*c.* 1450) pleaded that singing, ball-games and the throwing of beams or stones be 'out of churchyard put away', and insisted that nobody should enter this hallowed place without praying for the dead.[57]

Meanwhile, from 1388 onwards, a string of parliamentary statutes banned the lower social orders, including servants, labourers, apprentices and victuallers, from nearly all kinds of games and sport, at any time.

[53] *Chronicle of Jocelin of Brakelond*, ed. H. E. Butler, London 1949, 92–4.
[54] *Bury & Norwich Post*, 26 Apr. 1797. My thanks to Pat Murrell for this reference.
[55] *REED: Herefordshire & Worcestershire*, 57–8; Wilkins, *Concilia*, iii. 68.
[56] *Robert Mannyng of Brunne: handlyng synne*, ed. I. Sullens, Binghamton, NY 1983, lines 8587–9500.
[57] John Myrc, *Instructions for parish priests* (Early English Text Society, rev. edn 1902), 11.

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Offenders were threatened with heavy fines and imprisonment, on the grounds that they were impoverishing themselves (by gambling and neglecting honest work) and causing disquiet and trouble, even to the extent of robbery and murder. The authorities clearly feared that 'evil disposed' men might abuse their leisure and, particularly if they were young, threaten the 'well disposed' with disorder, violence and social breakdown. An act of 1541 stipulated that members of the lower orders should only play games at Christmas, and then only in the presence of their masters; indeed before they could play any indoor and outdoor games servants were required to get licences from their masters. The same act was very hard on one particular game, and insisted that 'no manner of person shall at any time play at any ... bowls in open places', on pain of paying 6*s*. 8*d*. for every offence. Paradoxically, by 1555 the granting of licences was deemed to have caused 'unlawful assemblies ... and conspiracies ... by idle and misruled persons'.

As major venues for recreation, churchyards were certainly subject to all this legislation, but were mentioned specifically only once, in a statute of 1551. This forbade the 'malicious' use of any weapon in church or churchyard; the penalty could be the loss of an ear or branding with an 'F' for 'fray-maker'.[58] A proclamation of 1557 further regulated the length and use of weapons because 'divers naughty and insolent persons have now of late attempted to make quarrels, riots and frays as well in churches and churchyards as in sundry other places'. As usual, the basic concern was with 'irreverent and profane behaviours'.[59]

Cumulatively the acts mentioned an impressive number and variety of recreations, most of them ball-games played in the open air or table-games played indoors, but all dismissed as 'importune', 'unthrifty' or simply 'unlawful'.[60] The picture is further complicated by reference in 1477/8 to 'many new imagined games, daily used in divers parts of this land'. This strongly suggests that the fifteenth century was a fertile period for the devising of new entertainments, perhaps as a result of higher real incomes, rising living standards and increased leisure as the manorial demand for labour services declined. The act of 1541/2 even went so far as to proscribe games 'hereafter to be invented'.

The only sport which escaped these strictures was archery. This had been encouraged since at least 1285 when the Statute of Winchester required all those unable to provide themselves with armour, swords and

[58] 5 Edward VI, *c*. 4.

[59] *Tudor royal proclamations, 1553–87*, ed. P. L. Hughes and J. F. Larkin, New Haven–London 1969, ii. 73–4.

[60] For example, tennis, football, quoits, dice and skittles were specified in 1388; handball and bowls in 1409/10; croquet, half-bowl, checkboard and 'hand-in and hand-out' in 1477/8; backgammon, cards and logatting in 1541/2. For these and other recreations see Joseph Strutt, *The sports and pastimes of the people of England*, London 1855.

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knives to have 'bows and arrows out of the forest'. Parliamentary statutes of later date stipulated that able-bodied males between the ages of seventeen and sixty were to equip themselves with a long bow and arrows, and to practice shooting on Sundays and feast-days; boys aged between seven and seventeen were also to be provided with a bow and two shafts.[61] In Scotland an act of 1457 required that targets for archers should be made 'at all parish kirks', which surely implies the churchyard.[62] Thus, for political and military reasons, a dangerous and competitive sport which attracted gambling was allowed on the Sabbath, in or close to consecrated ground.

So much for the official line. What was the reality? In spite of all the disciplinary pressures, and partly because the amount of documentation grows from the fifteenth century onwards, we find evidence for an increasingly wide range of recreations in churchyards. Although by this time other venues were available and some games were more likely by their nature to have been played in the home or alehouse (cards, for instance, and board-games like backgammon), God's Acre clearly continued to be a major focus of leisure in both towns and villages. Thus, in 1308 the bishop of London was concerned about wrestling and dancing in the churchyard at Barking (Essex).[63] In 1311 a local dean was ordered to take action against people who gathered in the churchyard of Shaftesbury (Dorset) and disturbed public worship; their activities included 'shameful' games, 'insolent' assemblies and dances which encouraged lasciviousness.[64] In 1440 a monk of Humberston (Lincs.) saucily defied his abbot by climbing a gate to observe pipe-players and dancers in the local churchyard.[65] At Ottery St Mary (Devon) in 1451 a group of clergy and laity were accused of playing tennis in the churchyard, and as a consequence were threatened with excommunication. They had taken down a wooden guard designed to prevent them from bouncing balls off a building, brawled among themselves and with their noise

[61] 13 Edwd I, *c.* 6; 22 Edwd IV, *c.* 4; 3 Hen. VIII, *c.* 3; 6 Hen. VIII, *c.* 2; 33 Hen. VIII, *c.* 9. The prices of bows were controlled; for example in 1482/3 a long bow was not to exceed 3*s.* 4*d.* For every bow of expensive imported yew, bowyers were expected to make two of cheaper native woods such as wych-elm. Parochial butts had to be provided and maintained, and are a recurrent expense in churchwardens' accounts. The acts of 1511/12 and 1514/15 argued that archery had fallen into neglect because of the 'custumable usage' of tennis, bowls and other prohibited games, which had caused poverty, abandonment of worship and 'many heynous murders, roberies and felonys'. Bishop Hugh Latimer believed that archery was 'a gift of God that he hath geve us to excell all other nations withall': *Sermons by Hugh Latimer*, ed. G. E. Corrie (Parker Society, 1844), 196–7.

[62] *The acts of the parliaments of Scotland* [London] 1814, ii. 48.

[63] *Register of Radulph Baldock*, ed. R. C. Fowler (C&YS vii, 1911), 73, 145–6.

[64] *Register of Simon de Gandovo*, 398–9.

[65] *Visitations of religious houses in the diocese of Lincoln*, ed. A. Hamilton Thompson (C&YS xxiv, 1919), ii/1, 140.

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disturbed worshippers in the church.[66] At Salton (Yorks.) in 1472 local people were threatened with fines for playing illegal games in the churchyard such as wrestling, football and handball; the offence was repeated in 1519 when the mysterious games of 'tutts' and 'pennystone' were also mentioned.[67] At Riccall (Yorks.) in 1519 presentments were made against those who 'makyth ther sportis and gammes' in the church porch and churchyard; the culprits were identified as 'yong peple', as must often have been the case elsewhere.[68] In 1535/6 the mayor and corporation of Plymouth decreed that each ward in the borough should contribute towards an ale in St Andrew's churchyard on Corpus Christi day; everyone was expected to bring their own favourite victuals and to encourage friends and strangers to come. Meanwhile the town's taverns were to remain firmly closed.[69]

Drama too was commonly recorded. In places as widely scattered as Rye (Sussex), Bodmin (Cornwall), Bath, Arnesby (Leics.) and Chester, parishioners organised plays, interludes and pageants in their churchyards.[70] Although a quarry-amphitheatre just outside the medieval walls of Shrewsbury was frequently used for such purposes, in 1542–3 the parishioners of St Chad's still preferred to stage an interlude in their own churchyard.[71] Such performances could involve special cleaning of the yard before and after, and the erection of scaffolding for both performers and spectators.[72] Other kinds of gathering were also possible. In 1310 Richard Ridut was summoned to a legal enquiry in the churchyard of Wood Norton (Norfolk); he had to show his legal right to property belonging to his former wife who had been born a bastard.[73] All the parishioners of two Yorkshire parishes were reported to the archbishop in 1472 for holding musters and secular meetings, either manorial or parochial, in their churchyards.[74]

III

This brief review of medieval evidence might suggest that the forces of custom and control were totally deaf to each other. On the one hand, the

[66] *Register of Edmund Lacy*, iii. 119–22. The word 'tennis' was often used loosely to include fives and other related games; tennis proper could involve the use of a lateral wall or roof, whereas fives was played specifically against a wall: R. Morgan, *Tennis: the development of the European ball game*, Oxford 1994, 2, 4.

[67] *Fabric rolls*, 255, 270.

[68] Ibid. 271.

[69] *REED: Devon*, 225–6.

[70] I. Lancashire, *Dramatic texts and records*, Cambridge 1984, 77, 80, 85–6, 108, 228, 257.

[71] *REED: Shropshire*, i. 199. This relates to the old churchyard of St Chad's which still survives (with part of its church which mostly collapsed in the eighteenth century).

[72] Churchwardens' accounts of Morebath (Devon): *REED: Devon*, 208–12.

[73] *The charters of Norwich cathedral priory*, ed. B. Dodwell (Pipe Roll Society, 1985), pt 2, no. 145.

[74] *Fabric rolls*, 256: 'Dicunt quod omnes parochiani ibidem tenent plebisitum, et alias ordinaciones temporales, in ecclesia et cimiterio …'.

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ecclesiastical and secular authorities thundered against the recreational uses of churchyards and punished some offenders. On the other hand, the offences not only continued but may in reality have multiplied; many ordinary people seem to have displayed 'an enduring and sturdy indifference to episcopal censure'.[75] However, by the fifteenth and early sixteenth century the forces of discipline were undoubtedly beginning to have some effect. Just as many markets and fairs had been deliberately removed in the thirteenth century, so, in the last century before the Reformation, social and recreational events were also being pushed from consecrated ground to adjacent or nearby sites. The essential difference is that whereas the thirteenth-century shift was driven by a combination of royal, seigneurial and episcopal interests, on this occasion we see a distinct change of sensibility and attitude in the minds of local clergy and laity. One is tempted to describe this late medieval religious trend as 'puritanical' in character; undoubtedly it can be related to the growing interest in personal spirituality and in a more strict use of the Sabbath.[76]

In February 1509 a group of feoffees at Fressingfield (Suffolk) were granted a church-house which had been recently completed on the southern edge of the churchyard. This fine timber-framed building, jettied towards the church, survives today as the 'Fox and Goose' public-house and restaurant. The feoffees were to allow the churchwardens and parishioners to use the building 'for the kepying of all chirchalis, gildis, yerdayes, buryengges and other drynkyngges necessary to the profyte of the seid chirch or parisshe'. With dramatic clarity, it was further explained that the new building had been constructed 'for the more reverens of God, and in avoydyng of etynge and drynkyng and other abusions in the chirch of Fresyngfeld'.[77] In other words, regular money-raising events which had previously taken place in the church (?or churchyard) and involved the consumption of food and drink, were now moved in the interests of 'reverence' to a new building just outside consecrated ground.

The same motive can be detected in a clerical will from Stoke-by-Nayland (Suffolk). In 1483, just before his death, the vicar John Cranewyse left a newly built house and its garden to his parishioners on the following condition. In the house, for evermore, they were to hold all their gilds ('gildas suas' and drinkings ('omnimodas potaciones suas')

[75] Davies, *Secular use of church buildings*, 50.

[76] C. Harper-Bill, *The pre-Reformation Church in England, 1400–1530*, London 1989; R. N. Swanson, *Catholic England*, Manchester 1993; K. L. Parker, *The English Sabbath*, Cambridge 1988.

[77] Suffolk Record Office (Ipswich), FC90/L3/8. The same document mentions 'thirty days' and 'seventh days', as well as 'yeardays' and 'buryings', all forms of commemoration for the dead.

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held for the profit of the church.[78] If, in defiance of his wishes, they continued to hold their drinkings 'in the church', then his offer was to be withdrawn and the house sold.[79] Here an incumbent was apparently trying to persuade his parishioners to change their habits and to treat consecrated places with greater respect. Unfortunately the outcome of his efforts is not known. Nor is it clear whether the house was originally domestic, or whether the vicar had built it deliberately for communal purposes: either way it lay near the eastern edge of the churchyard.[80]

Documentary evidence thus establishes that some late medieval guildhalls and church-houses were deliberately constructed on the edges of churchyards, or within a stone's throw of them, as part of a process of moving certain activities outwards.[81] They were provided so that local people, either as parishioners or as members of religious and social gilds, could enjoy the conviviality and festivity which arose naturally out of their religious lives and parochial loyalties, at the same time easing their consciences by avoiding the moral and perhaps physical constraints of consecrated ground.[82] It should be remembered that what is true of Hadleigh and Eye in Suffolk is also true of Hartland and Widecombe in Devon.[83] Occasionally other titles were given to buildings used for similar recreational and social activities. At Wistow (Yorks.) in 1438, a barn where a summer-game involving music, acting and the election of a king and queen customarily took place, was described as the 'somer house'; it too lay next to the churchyard ('prope et iuxta cemiterium').[84]

Another social institution displaying a like history is the 'Camping Close', of which over 140 examples have so far been found in the eastern counties of Norfolk, Suffolk, Cambridgeshire and north Essex.[85] This field, usually enclosed, was regularly used for playing an energetic and

[78] The word 'gild' is used here, as is often the case, to mean a principal meeting or feast, rather than the institution itself.

[79] Norfolk Record Office, NCC, 178 A. Caston. I owe this reference to Peter Northeast.

[80] Interestingly, the surviving guildhall at Stoke-by-Nayland lies to the west of the churchyard, separated from it by a road.

[81] A guildhall, as the word implies, belonged to a gild. A church-house was a similar institution but owned by the parish as a whole.

[82] It is undeniable that other guildhalls were more distant from the churchyard, as for example all four at Lavenham (Suffolk). One reason may be that donors had bequeathed existing domestic houses for conversion to communal use.

[83] In southern and south-western England, church-houses were far more numerous than guildhalls: P. Cowley, *The church houses: their religious and social significance*, London 1970; G. W. Copeland, 'Devonshire church-houses', *Reports and Transactions of the Devonshire Association* xcii (1960), 116–41.

[84] *Testamenta Eboracensia*, ed. J. Raine (Surtees Society lxxix, 1884), 103n.

[85] D. Dymond, 'A lost social institution: the Camping Close', *Rural History* i (Oct. 1990), 165–92, and 'Place-names as evidence for recreation', *Journal of the English Place-Name Society* xxv (1992–3), 165–92.

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dangerous sport called 'camping', which was a cross between football and handball – similar in character to American football today but without the razzmatazz and grotesque armour. Several of these closes can be proved to have existed in the second half of the fifteenth century. Of the total number, a significant percentage (and probably the earliest in date) lie immediately adjacent to a churchyard. Again this cannot be accidental, and suggests that a game which had previously been played on consecrated ground was eased out, on grounds of seemliness and decency, into an adjoining field.

IV

In the later sixteenth and early seventeenth centuries, after the Reformation, a range of documents continues to expose the close proximity of churchyards and some, though certainly not all, places of recreation. In the first place many church-houses and former guildhalls survived as communal property. In seventeenth-century Wiltshire John Aubrey described a church-house in 'every parish', where locals 'met and were merry and gave their charitie'; outside the building the young enjoyed energetic pursuits like dancing, bowling and archery, and were watched by the 'ancients sitting gravely by, looking on'.[86] Elsewhere, but more rarely, descriptions have survived of how open-air sites, sometimes with significant names such as the Playing Place, Playstow or Game Place, were actually used. Beside the churches of Stour Provost and Up Cerne (Dorset) were areas in which parishioners customarily indulged in 'playe and pastyme'; in the latter case it was known as the Bowling Green.[87] At Bisley (Glos.) an incumbent was accused of encouraging music, dancing and games by erecting a maypole near the church; the same happened at Bemerton (Wilts.), formerly the parish of George Herbert, where the maypole was accompanied by a bowling green and skittle alley.[88] Perhaps the best example comes from a dispute at Dundry (Somerset) in 1635: a small field immediately north of the church, and now part of the churchyard, was said to have been used traditionally for a huge number of pastimes including an annual fair, dancing around maypoles, fives, tennis, quoits, bowls, cudgel-playing, bull-baiting, archery and the ancient sport of 'kissinge'.[89]

Sometimes, by contrast, our only evidence is an historically significant field-name recorded near the church. For example a good series of glebe

[86] *Wiltshire: the topographical collections of John Aubrey*, ed. J. E. Jackson, Devizes 1862, 10.
[87] King's College, Cambridge, D128; Dorset Record Office, D13/M1.
[88] *REED: Cumberland, Westmorland and Gloucestershire*, ed. A. Douglas and P. Greenfield, Toronto 1986, 285–8; L. S. Marcus, *The politics of mirth*, Chicago 1986, 16–17.
[89] Somerset Record Office, D/D/Cd/59–81.

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terriers for Suffolk in 1613 mentions a 'maypole pightle' at Akenham abutting the churchyard on the east; a 'playinge place' at Hintlesham adjoining the churchyard on the west; and 'a payer of butts' on the north side of the churchyard at Stradishall.[90] The relationship could admittedly be quite recent or even accidental; on the other hand the not infrequent mention of custom, in similar contexts elsewhere, suggests that it was rooted in late medieval practice, as with the siting of guildhalls and camping closes. Occasionally two such names are physically related; in two Suffolk parishes a Game Place is known to lie within a Camping Close, and one of them was indisputably a circular open-air theatre made of earth and stone.[91]

'The lord [of the manor] may not by custom plough or break up two acres of land lying near the church, because it was anciently granted for the recreation of the youth of the parish, after Evening Service on every Lord's Day.' When in 1700 Sir Henry Chauncy wrote those words about Little Munden (Herts.), he was probably sketching a topographical and cultural relationship which was more common nationally than our evidence will ever reveal.[92]

V

The bishops of the reformed Church of England largely reiterated the concerns of their medieval predecessors, though they expressed themselves in English and at rather greater length.[93] A good example are the visitation

[90] Suffolk Record Office (Ipswich), FAA 2701/20; Suffolk Record Office (Bury St Edmunds), E14/4/1.

[91] Walsham le Willows and Beccles: *The field book of Walsham-le-Willows, 1577*, ed. K. M. Dodd (Suffolk Record Society xvii, 1974), 92; rental of Walsham, 1509; BL, MS Add. 14850, fo. 176; Beccles manor court book, 8 Nov. 1762, and plan of Wm Crisp's farm, Beccles, 1821 (*ex inf.* E. A. Goodwyn).

[92] Sir Henry Chauncy, *The historical antiquities of Hertfordshire*, London 1700, ii. 66.

[93] The physical integrity of the churchyard remained a cause for concern. The canons of 1604 demanded that 'churchyards be well and sufficiently repaired, fenced and maintained with walls, rails and pales, as have been in each place accustomed, at their charges unto whom by law the same appertaineth': Cardwell, *Synodalia*, i. 295, no. 85. Repair was sometimes enforced by secular magistrates: *Quarter sessions records of Somerset*, ed. E. H. Bates Harbin (Somerset Record Society xxviii, 1912), iii. 270, 280–1. Building privies ('houses of office' or 'jakes') on the edges of churchyards was a persistent nuisance, as in 1629 at Ipswich and Woodbridge (Suffolk): Norfolk Record Office, DN/VIS 6/1. Gardens in the churchyard were levelled at Tewkesbury in *c.* 1619: *Tewkesbury churchwardens' accounts, 1563–1624*, ed. C. J. Litzenberger (Bristol and Gloucestershire Archaeological Society vii, 1994), 137. At Eccleshall (Staffs.), the vicar's right to cut grass in the churchyard was strongly challenged in 1604; this dispute led to verbal insults, physical assaults, damage to church property, the deployment of soldiers and the hiring of two minstrels to lead a large body of young people into the churchyard: *The Staffordshire quarter sessions rolls*, V: *1603–6*, ed. S. A. H. Burne (Collections for a History of Staffordshire,

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articles of 1571 issued by Edmund Grindal, puritanically inclined archbishop of York, which condemned fairs, markets and the peddling of wares in church-porches or churchyards, and specified that 'no folk be suffered to dance' on consecrated ground. He and other prelates placed a very strong emphasis on the Sabbath: their prohibitions were invariably linked to 'Holy days or Sundays, while any part of Divine Service is in doing … while any sermon is in preaching' and during the 'reading of the homily'. As well as banning bad behaviour such as 'noise, brute cries [and] clamours' and 'any fighting, chiding, brawling or quarrelling', they pinpointed recreations and social activities which they regarded as undesirable. For example at Rochester in 1572 Bishop Freke castigated 'hopping, skipping, dancing, singing, football, playing bowls, dicing, carding, stool ball, scaylls (skittles) or any other unlawful game', while in 1607 Bishop Chaderton of Lincoln objected to 'any playes, lords of misrule, sommer lords, morrisse dauncers, pedlers, bowlers, berewards, butchers, feastes, scooles, temporall courts or leetes, lay juries, musters, or other profane usage in your church or churchyard'.[94]

Another strong influence at this period was the scorching criticism of Puritan preachers and writers, who waged a relentless war on popular entertainments and festive customs. For example John Northbrooke attacked gambling, dramatic performances and other pastimes which he saw as 'idle' and especially reprehensible on Sundays, while Christopher Fetherstone was above all concerned with the devastatingly immoral effects of dancing.[95] Behind such invective the basic motive was strongly religious and moral: festivities and customs were condemned because they encouraged drunkenness, sexual misconduct, brawling, sabbath-breaking,

1940), 101–2. Individuals were occasionally cited for enclosing part of the churchyard or driving their carts across it. At Sutton Bonington (Notts.) in 1635 the minister had taken in western and northern parts of the churchyard for a new garden, barn and kiln; after an official visitation he was allowed to keep the land because it 'had not within the memory of man beene ymployed for the buriall of the dead (save one, two or three, and those still or dead borne)': R. F. B. Hodgkinson, 'Extracts from the act books of the archdeacons of Nottingham' (Thoroton Society xxxi, 1927), 139–42. Graves were sometimes protected from grazing animals by the pegging of brambles and planting of withies: Burgess, *English churchyard memorials*, 51.

[94] *Visitation articles of the Reformation*, iii. 343; *Visitation articles of the early Stuart Church*, 70. Among the canons of 1604, no. 88 forbade 'plays, feasts, banquets, suppers, churchales, drinkings, temporal courts or leets, lay-juries, musters or any other profane usage, to be kept in the church, chapel or churchyard': Cardwell, *Synodalia*, i. 296. See *Tudor royal proclamations*, ii. 177–9, for Queen Elizabeth's proclamation of 1561 that churches and churchyards should be used 'quietly and reverently'; services were not to be disturbed by bargaining, paying of money, carrying of merchandise and walking 'up and down'. It also demanded the implementation of all laws against quarrelling and fighting with weapons, and provided new penalties for offenders.

[95] Christopher Fetherstone, *A dialogue agaynst light, lewde and lascivious dauncing*, n.p. 1582 (*RSTC* 10835); John Northbrooke, *Spiritus est … a treatise wherein dicing, dauncing, vaine playes or enterluds … are reproved*, n.p. [1577] (*RSTC* 18670).

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irreligion and ultimately popery. Although he can no longer be regarded as pure Puritan but more of a contemporary journalist, Philip Stubbes wrote the most famous onslaught of all, which clearly specified the churchyard. In trenchant language he described liveried morris dancers with a lord of misrule, hobby-horse, pipers and drummers prancing their way into a church 'like devils incarnate'. The same 'heathen company' spent the rest of the day and night feasting and dancing in the churchyard in temporary 'summer halls', bowers, arbours and 'banqueting houses'.[96]

Yet, in spite of all this condemnation, and although alternative venues existed in many places, churchyards were still in regular use socially and recreationally from the start of the Reformation until the eve of the Civil War. Such uses are revealed in surprisingly large numbers in sources like churchwardens' accounts, presentments at ecclesiastical courts, order-books of quarter sessions and local by-laws, and apply to urban as well as rural communities.[97] At national and local level, the political battle between the forces of control and custom was at its height in the early seventeenth century. It hinged on the 'Book of Sports' written by James I in 1618 (re-issued by Charles I in 1633, and finally condemned to the flames in 1644) and on the new discipline imposed by Archbishop Laud and his fellow bishops from 1633 onwards.[98] Although King James did not specify the leisure use of churchyards, he wanted 'the common and meaner sort of people' to indulge in lawful and harmless recreation 'after Divine Service'. He and his supporters saw activities like morris-dancing, rush-bearing, May-games and athletic sports as 'honest mirth or recreation' which made the common people healthier, more inclined to regular worship, more friendly and neighbourly, and less likely to show discontent and rebelliousness. The furious Puritan reaction to that book, especially after its re-issue in 1633, is best revealed in the extraordinary

[96] Philip Stubbes, *Anatomy of abuses*, n.p. 1583 (*RSTC* 23376); P. Collinson, 'Elizabethan and Jacobean Puritanism as forms of popular religious culture', in C. Durston and J. Eales (eds), *The culture of English Puritanism, 1560–1700*, London 1996, 57.

[97] For general background see D. Underdown, *Revel, riot and rebellion: popular politics and culture in England, 1603–60*, Oxford 1985, chs i–v, and 'Regional cultures?: local variations in popular culture during the early modern period', in T. Harris (ed.), *Popular culture in England, c. 1500–1850*, London 1995, 28–47; T. G. Barnes, 'County politics and a Puritan *cause célèbre*: Somerset churchales, 1633', *Transactions of the Royal Historical Society* 5th ser. ix (1959), 103–22; S. Hindle, 'Custom, festival and protest in early modern England: the Little Budworth wakes, St Peter's day, 1596', *Rural History* vi (1995), 155–78; M. Stieg, *Laud's laboratory: the diocese of Bath and Wells in the early seventeenth century*, Lewisburg, Pa. 1982, 236–7.

[98] *The king's maiesties declaration ... concerning lawfull sports to be used*, London 1618 (*RSTC* 9238.9; facsimile, Amsterdam 1970). In Aug. 1616 the JPs of Lancashire issued strongly sabbatarian orders which *inter alia* threatened with a fine of 12*d*. those 'found walkinge, talkinge or ydely standinge either in the church yeard or markett place in tyme of Devyne service': *Proceedings of the Lancashire Justices of the Peace, 1584–1694*, ed. B. W. Quintrell (Record Society of Lancashire and Cheshire cxxi, 1981), 72–3.

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writings of Henry Burton. He quoted many examples of heedless pleasure-seekers who broke the Sabbath and were, as a consequence, struck down by a vengeful God.[99]

To turn to detail, virtually the whole range of medieval entertainment survived in the churchyard, some events involving a few people and others attracting sizeable crowds, if not the whole local population. Where documentation exists we are almost certainly seeing fewer than the true number of cases, for at least two reasons. First, those in authority did not always present their neighbours. This happened at Braunton (Devon) in 1628 when William Budd, previously a churchwarden, was prosecuted 'for not presenting some which plaied in the churchyerd', and at Boxgrove (Sussex) in 1622 where churchwardens had defended the playing of cricket in the churchyard, although balls had shattered windows and a child had been injured by a lustily swung bat.[100] Secondly, at this period offences like the playing of 'illegal games', breaking the Sabbath, ignoring the time of divine services and disturbing sermons were clearly regarded as more serious than abusing the churchyard *per se*: therefore they tended to get mentioned in the record while the lesser offence was more frequently omitted.[101]

Dramatic performances continued well into the reign of Elizabeth. At Bungay (Suffolk) in 1566 an interlude or 'game' lasted for two days in the churchyard of Holy Trinity. Special scaffolds were erected, cloths were painted, and apparel belonging to the earl of Surrey was borrowed from Norwich. The performance involved the use of 'visors' or masks, and the consumption of large quantities of beer and food (including pasties). One consequence of the event was that windows in the church were broken, and drinking-pots were lost or smashed. At Gloucester, the Queen's Players performed in a churchyard as late as 1589–90.[102]

Other large-scale gatherings in churchyards included money-raising ales,[103] Easter vestries for the election of parish officers, coroners' inquests to view corpses, bear-baitings, 'carrying the garland', May-games, dancing with hobby horse or with 'cavell staff', various forms of music

[99] Henry Burton, *A divine tragedie lately acted ... Sabbath breakers*, n.p. 1641 (*RSTC* 6161).

[100] *REED: Devon*, 53; T. J. McCann and P. M. Wilkinson, 'The cricket match at Boxgrove in 1622', *Sussex Archaeological Collections* cx (1972), 118–22; R. F. Hunnisett, 'Early Sussex cricket', *Sussex Notes and Queries* xvi, 7 (1966), 217–21. See also *REED: Herefordshire and Worcestershire*, 156–7.

[101] For example, at Croston (Lancs.) in 1634 John Court repeatedly played his pipes at the cross, 'within sight of the church doore' as the congregation were leaving. The offence probably took place in the churchyard, but this is not specifically stated: *REED: Lancashire*, ed. D. George, Toronto 1991, 16.

[102] Churchwardens' accounts, Bungay Holy Trinity, Suffolk Record Office (Lowestoft), 115/E1/1; *REED: Cumberland, Westmorland and Gloucestershire*, 311.

[103] J. M. Bennett, 'Conviviality and charity in medieval and early modern England', *Past and Present* cxxxiv (1992), 19–41.

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and minstrelsy (including fiddling, piping and harping), ceremonial horse-riding, firing handguns and cannons and, in the north Midlands, rush-bearing.[104] While many of these offences seem picturesque and fairly harmless, some were gross by the standards of any age. For example at North Muskham (Notts.) ten men took the highjinks of Plough Monday 1560 to excess by 'plowing in the churchyarde', while at Boughton (Notts.) in 1585 a maypole appears to have been set up actually in the yard.[105]

Highly personalised confrontations also occurred on God's Acre. Here, among their ancestors, the living not only heard general announcements, not only met and probably chatted at least once a week, but also felt it appropriate, when in the mood, to air their disagreements and emotions in full public view.[106] For example, 'rough music' was performed to humiliate moral offenders (Cradley, Herefords., 1587); 'a great payre of hornes' was worn to suggest immorality, as a newly married couple were leaving church (Arlington, Sussex, 1639); and three parish officers violated the recent grave of a well-to-do and respected inhabitant, because he belonged to an heretical sect (Balsham, Cambs., 1609). Also inescapable is the remarkable frequency of fights and ugly brawls, which sometimes involved the use of staves, swords, daggers or firearms (Goodrich, Herefords., 1609).[107] It is clear that confrontation and disorder were most likely to erupt when large-scale events attracted

[104] Ale at chapel-yard of Hatch (Wilts.), 1615: Ingram, *Church courts*, 105; vestry election at Wraxall (Somerset), 1656: *Quarter sessions records of Somerset*, iii. 303; inquests at Horsham (Sussex), 1591: *Sussex coroners' inquests, 1558–1603*, ed. R. F. Hunnisett, Kew 1996, 103–4; bear-baiting at Lt Budworth (Cheshire), 1621: Hindle, 'Custom, festival and protest', 165; carrying the garland at Long Newnton (Wilts., now Glos.), 1641: *Records of the county of Wiltshire*, ed. B. H. Cunnington, Devizes 1932, 141; dancing in Oxfordshire, 1584: *The archdeacon's court: liber actorum, 1584*, i, ed. E. R. Brinkworth (Oxfordshire Record Society xxiii, 1942), 43, 51, 54. See also *REED: Devon*, 59–62; *REED: Herefordshire and Worcestershire*, 97, 152–3, 157; *REED: Lancashire*, 4, 10, 20, 23, 98; *REED: Shropshire*, i. 121–2.

[105] Hodgkinson, 'Extracts from act books', 42.

[106] An interesting parallel is the way destitute and homeless people sometimes took up residence in church-porches, in part no doubt to advertise their plight very publicly: *Warwickshire county records*, III: *Quarter sessions order book, 1650–7*, ed. S. C. Ratcliff and H. C. Johnson, Warwick 1937, 38, 258, 261.

[107] *REED: Herefordshire and Worcestershire*, 72, 74–9; Renshaw, 'Notes from the act books of Lewes', 64; C. Marsh, 'The gravestone of Thomas Lawrence revisited', in M. Spufford (ed.), *The world of rural dissenters*, Cambridge 1995, 208–34; A. Hussey, 'Visitations of the archdeacon of Canterbury', *Archaeologia Cantiana* xxvi (1904), 28–9, 45; *Depositions and ecclesiastical proceedings from the courts of Durham*, ed. J. Raine (Surtees xxii, 1845), 261–3, 305–7; *Records of the county of Wiltshire*, 141, 187, 277; W. M. Palmer, 'The archdeaconry of Cambridge and Ely, 1599', *Transactions of the Cambridge and Huntingdonshire Archaeological Society* vi (1947), 10; *The Staffordshire quarter sessions rolls* (1933), iii. 271–2, and (1940), v. 101–2. See also Collinson, 'Elizabethan and Jacobean Puritanism', 39, and M. Ingram, 'Puritanism and the church courts, 1560–1640', 85, both in Durston and Eales, *Culture of English Puritanism*.

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boisterous visitors from outside the parish. Thus, at Long Newnton (Wilts., now Glos.) in 1641 the custom of 'carrying the garland' degenerated into a riot when about eighty interlopers from Malmesbury invaded the churchyard, brandishing staves and a hobby-horse, and attempted to capture the garland.[108]

Yet undoubtedly the most common form of leisure in churchyards was the playing of a variety of skilful and competitive games, usually in teams, such as football, camping, stool-ball, cricket, tip-cat and bowls.[109] These were mainly pursued by young males or 'younkers' with energy to burn, but they also attracted audiences of older folk and probably female admirers as well. At Dartmouth (Devon) ball games, almost certainly some version of tennis or fives, were played in the churchyard from medieval times to the Civil War, and resulted in numerous fines and broken windows.[110] In the towns of Manchester and Sheffield, strong by-laws were issued in 1608 and 1609 respectively.[111] The purpose was to prevent 'lewde and disordered persons' from playing games like football, giddy-gaddy, tip-cat, 'hornobillandes' or 'bads' in the churchyard or public streets. In the case of Manchester, the order was being repeated as late as 1657, though by that time reference to the churchyard had been dropped. Games which were by nature fast and furious, such as football, could in quite normal circumstances cause serious injury and sometimes death. In addition, they acquired a bad reputation in the minds of rural and urban elites because they easily provoked quarrels, fights and assaults. Even the more sedate game of bowls once degenerated into violence in the churchyard of Blyth (Notts.): John Reeve was excommunicated in 1613 'for castinge a boule' at a fellow-player 'in a quarrellinge manner'.[112]

[108] *Records of the county of Wiltshire*, 141. At Longdon (Worcs.) the 'dancing sports' and may-games of 1614–15 were visited by 'many rude ruffians and drunken companions … from other towns adjoining'; this led to 'much quarrelling, ready to murder one another' and the staged disruption of a church service: *Worcestershire county records: calendar of the quarter sessions papers*, I: *1591–1643*, ed. J. W. Willis Bund, Worcester 1900, 254–5.

[109] Bowls and archery in Oxfordshire, 1584: *The archdeacon's court: liber actorum*, 30, 43, 54, 124; football at White Colne (Essex), 1590: H. W. Lewer, 'The King's Book of Sports: Sunday games', *Essex Review* xxii (1913), 186; camping at Wetheringsett (Suffolk), 1611: Norfolk Record Office, DN/VIS 4; stool-ball at Rushbury (Salop), 1621: *REED: Shropshire*, i. 121–2; cricket at Boxgrove (Sussex), 1622: McCann and Wilkinson, 'The cricket match', 118–22; 'cat' and stool-ball at Moulsoe (Bucks.), 1613: E. R. C. Brinkworth, 'The Laudian church in Buckinghamshire', *University of Birmingham Historical Journal* v (1955–6), 42; bowls at Osmotherley (Yorks.), 1613: *Quarter sessions records*, 34.

[110] *REED: Devon*, pp. xiv, xxxvi.

[111] *Court leet records of the manor of Manchester*, Manchester 1884–6, i. 234; ii. 239–40, 209; iv. 248; *Records of burgery of Sheffield*, ed. J. D. Leader, London 1897, 314–15.

[112] Hodgkinson, 'Extracts from act books', 44; Dymond, 'A lost social institution', 181–4. Most ball-games, because they often caused damage to property, physical injury and outbreaks of fighting, had a correspondingly higher chance of entering the historical record.

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In 1988 a fascinating archaeological discovery was made in the church of Market Harborough (Leics). A doorway leading to the medieval rood-stairs, which had been blocked since 1752, was opened up to reveal more than 200 objects used in a variety of games and pastimes. They included whipping tops, knuckle bones, 'cats' and different kinds of ball, all of which are thought to be seventeenth-century in date. Used no doubt by local children and young people playing in or around the church, they had probably been confiscated by parish officers and tossed into the redundant stairway, behind what was then a locked door.[113]

When faced with disapproval and persecution, game-players and merry-makers did not necessarily suffer in stoical silence: they were quite capable of answering back, usually with more defiance than logic. In 1605, William Foote of Madley (Herefords.), said 'he would dance there [in the church and churchyard] in contempt and derogacion of the churchwarden'. On Sundays in 1621 John Munslow, a yeoman of Rushbury (Salop), played stoolball in the churchyard; on being admonished by the parson, he remarked derisively that public penance 'was but the wearinge [of] a sheete and for that he did not care'. In 1627 when Francis Blage of Cotton (Suffolk) emerged from church, he 'unreverentlye' criticised the parson's sermon which had attacked drunkenness, saying that 'he would drinke for all that, till his knees or leggs did buckle'.[114] Others, with more craftiness, tried to escape punishment by conjuring up excuses or by splitting hairs. In Oxfordshire, offenders claimed mitigation because they had played bowls or brawled 'on' or 'withoute' the procession way (which presumably ran in a wide circle around the church); in other words they had kept to the outer edge of consecrated ground. When five men were cited for playing football in the churchyard of Sturton (Notts.) in 1634, they claimed to be mere bystanders 'and some tymes as the ball came towardes them they did strike it'; two others accused of fighting in the same place argued that 'Bingham's nose fell a bleeding of its own accorde'.[115]

VI

From the time of the Civil Wars onwards, references to the use of churchyards for recreation undoubtedly decline. Puritanical discipline was at its most severe during the Commonwealth, and this must have

[113] A 'cat' is a small piece of wood, pointed at each end, which was flipped into the air and then struck away by means of a stick. These finds are now displayed in the local museum.

[114] *REED: Herefordshire and Worcestershire*, 235; *REED: Shropshire*, i. 121–2; Norfolk Record Office, DN/VIS 5/3/3.

[115] *The archdeacon's court: liber actorum*, xxiii. 43, 97; xxiv, p. xx; Hodgkinson, 'Extracts from act books', 144.

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been a major deterrent in many areas such as East Anglia and the south-east. On the other hand, some customary activities undoubtedly continued, such as the wakes or revels of Somerset,[116] and others may have gone unrecorded in a period when ecclesiastical courts were abolished and when, in theory at least, there was greater religious freedom. Even after the Restoration in 1660, we see no obvious resurgence in the number of recorded cases. This was unlikely to be the consequence of successful discipline, because religious and secular authorities had other pre-occupations and were taking a more relaxed view of popular recreation.[117] It may have to do with the increasing commercialisation of leisure and the fact that, certainly by the early eighteenth century, plenty of alternatives were available in the shape of inns, coffee-houses, theatres, assembly rooms, race-courses and so on.[118] By the second half of the eighteenth century, people of social standing, wealth and education had come to view the world of popular pastimes as alien and different from their own, at best quaintly amusing and worthy of antiquarian study, and at worst uncouth, ill-disciplined and threatening.[119]

In some places, nevertheless, the old attitudes to God's Acre persisted well beyond the Commonwealth. At East Bergholt (Suffolk) the brutal sport of flinging at cocks was practised in the churchyard on Shrove Tuesday in 1665, and the same so-called sport survived at Hayes (Middlesex) until 1754.[120] The best evidence, however, is to be found on the western side of Britain. For example, the playing of fives flourished in the churchyards of Somerset, as it had in earlier periods, using a hard ball and bare hands.[121] It is clear that members of the clergy tolerated this practice, and even participated. On 22 June 1764, James Woodforde, then a curate of twenty-four, threw a bachelors' supper party at which he and his guests 'plaid at fives in Babcary churchyard this evening'; at this 'homely entertainment' he personally lost a bet of 1*s*. 6*d*.[122] Contemporary opponents of the game who were steadily becoming more influential, said that it caused swearing, quarrelling and fighting, and led to structural

[116] *Quarter sessions records of Somerset*, iii. 102–3. [117] Hutton, *Rise and fall*, 239–40.

[118] P. Borsay, *The English urban renaissance*, Oxford 1989, esp. chs vi, vii.

[119] Hutton, *Rise and fall*, 240–1, 246.

[120] Anon., 'East Bergholt church', *Proceedings of Suffolk Institute of Archaeology* xiii (1909), 395; W. Jerrold, *Highways and byways of Middlesex*, London 1909, 213. In 'flinging at cocks' or 'cock throwing', weighted clubs were aimed at tethered birds.

[121] G. W. Saunders, 'Fives playing against church towers', *Notes and Queries for Somerset and Dorset* xvii (1921–3), 75–7; G. White, *Fives, an old West Country game* [South Petherton] 1980; correspondence, *Country Life*, May–July 1961. At Williton in 1633 a ball-game was played 'in a narrow space betwixt two glasse windowes', with the inevitable consequences: *Quarter Sessions records for the county of Somerset*, II: *1625–39*, ed. H. H. Bates Harbin (Somerset Records Society xxiv, 1908), pp. xxv–vii.

[122] James Woodforde, *The diary of a country parson, 1758–1802*, ed. J. Beresford, Oxford 1978, 26.

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damage of the church itself. Windows were smashed, or were protected by special shutters with fastening hooks; lead roofs were damaged by those who climbed to retrieve balls; buttresses had footholds chopped into them to assist climbers; smaller holes were made as scoring tallies; and occasionally carved friezes at the base of walls were chiselled off to give a clear face to the players. The favourite place for the game appears to have been the base of the western tower which, with its buttresses or adjoining aisle-walls, maximised the chance of interesting ricochets.

In 1758 the vestry of Martock (Somerset) managed to suppress the playing of fives in its churchyard, but only after a sustained campaign lasting nearly twenty years. The first partial success was to move the game from the south side of the church to the less offensive north, and the final solution was deliberately to dig up the 'fives place'.[123] When the game was successfully expelled from consecrated ground, local innkeepers often found it profitable to build new free-standing walls in their own yards, some of which still survive. Invariably this was called the 'tower' and stood twenty to thirty feet high; it closely resembled the lower stages of a church tower with offsets and sometimes buttresses.

Even better is the evidence from Wales. As early as 1603 Bishop Godwin of Llandaff had complained that the Sabbath 'is horribly profaned every where, by using unlawfull games even in the time of divine service, and that oftentimes in the verie church-yard'. In 1621 his successor, Bishop Field, specified bowls and tennis.[124] From parochial records and the writings of antiquaries and travellers, it can be seen that the same events were still commonplace in the eighteenth and early nineteenth centuries and, because they were favourite pastimes before morning service, were called by the familiar name of 'Sunday games'.[125] They included handball, hammer-throwing, ninepins, bowls, bandy (a form of hockey), tennis and fives. To accommodate the last, many Welsh churches had a horizontal line painted on them, below which the ball was not in play, and also bore scratched marks which have been interpreted as methods of scoring. Like churches in Somerset, they too had hinged shutters fastened with staples to protect vulnerable windows. Another 'sport' recorded in the same setting is cock-fighting. In Montgomeryshire two cockpits survived in churchyards until 1888, both on the north side

[123] A nineteenth-century vicar in Staffordshire (parish unknown) had himself buried in an altar tomb where boys played against his tower, 'saying that though he had failed to stop the ball playing in his lifetime, he would stop it after his death. And he did so': *Notes and Queries* 8th ser. viii (1895), 217.

[124] *Visitation articles of the early Stuart Church*, I, 201; Owen, *Old stone crosses*, appendices xx–xxi.

[125] In other regions, 'Sunday games' commonly took place in the afternoon (especially in winter), or after evening prayer (especially in summer). These temporal and regional differences are worth deeper investigation.

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of the church. But the best surviving piece of physical evidence for an individual Welsh sport lies in the small fourteenth-century church of Efenechtyd (Denbighshire). At the back of the nave, beside an early wooden font, is a large rectangular stone weighing over 100 lbs and known as the 'feat-stone' (*y maen camp*). Until the early nineteenth century it was used in athletic contests held within the small walled churchyard, on the north side of the church: strong men were expected to pick it up and throw it backwards over their heads, to determine 'the hero of the parish'. According to Elias Owen writing in 1886, 'many of these stones are still in existence in various parts of Wales'.[126]

Inevitably there was opposition. In the eighteenth century, some Welsh parishes introduced orders discouraging all games in the churchyard, particularly ball-games against the church. They not only prosecuted offenders by imposing fines, but also gave money to informers. At Newtown (Glamorgan) in 1722 a new by-law decreed that 'persons playing ball upon the church, or against the walls or steeple thereof' were to forfeit 5*s*. for each offence. As churchwardens used that money to repair the church windows, this by-law was not so much an attempt to prohibit the game as a form of licensing and insurance. Another ploy was adopted in the following year when a carpenter was employed to fix boards under the eaves of the church 'to prevent the playing of ball thereon'.[127]

More important than individual sports were the annual wakes or revels (*mabsantau*), because they were truly communal in scope and involved a whole repertoire of amusements including plays, dancing, athletics, horse-racing, cock-fighting and bull-baiting. An anonymous English traveller left a graphic description of a wake at Landrindod (Radnorshire) in 1714. The churchyard, though large, was crowded with people 'of almost all ages and qualities', wearing their best clothes. Games of fives were played against the church walls, fiddlers performed for groups of dancers, and rustic bowers had been erected – probably to provide seating and to purvey food and drink, and partly no doubt as some insurance against bad weather. Moved by what he saw, the writer observed that 'past and present generations were all gathered in the churchyard'.[128] In 1803 Benjamin Malkin judged that feasts and revels with 'the custom of dancing in the churchyard' were 'universal' in Radnorshire and 'very common' in other parts of the principality. He made a further comment which crystallises the age-old tensions surrounding the churchyard:

[126] Owen, *Old stone crosses*, 37–42, 66–7; E. Owen, 'Churchyard games in Wales', *The Reliquary* n.s. i (1895), 136–41; ii (1896), 154–8; Peate, 'Cockfighting in Wales', 129.

[127] E. Owens, 'Parish records', *Archaeologia Cambrensis* 5th ser. v (1888), 23–4; J. Fisher, 'The religious and social life of former days in the Vale of Clwyd', *Archaeologia Cambrensis* 6th ser. vi (1906), 152–3.

[128] R. Suggett, 'Festivals and social structure in early modern Wales', *Past and Present* clii (1996), 80–1.

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'Indeed, this solemn abode is rendered a kind of circus for every sport and exercise.' Although wakes were criticised for encouraging drinking and wild behaviour, Malkin indicated that (in some places at least) scruples were observed. The revellers did not 'literally dance over the graves of their progenitors', but normally confined themselves to the north side of the church which was popularly regarded as less holy and 'where it is the custom not to bury'.[129] This evidence from Wales clearly proves that links between festive culture and parochial life were not everywhere broken in the mid seventeenth century, and that sports and festivities were not wholly driven out of Sunday.[130]

In a recent survey of the Welsh *mabsantau*, Richard Suggett has argued that these annual festivals were devised largely after the Restoration, as a result of escalating rural poverty which in turn led to inter-parochial tension and rivalry. Nevertheless, it is hard to believe that they did not have earlier roots, because they used consecrated land, invoked local saints and, in their detailed activities, closely resembled the festivals of early modern and medieval times.[131] Suggett sees the final demise of these customs in the 1830s and 1840s, not so much suppressed by middle-class distaste or nonconformist hell-fire, as abandoned because they had outgrown their usefulness in a period when parochial individuality and independence were being fast eroded.

In other parts of western Britain, similar festivities were also enjoyed on God's Acre until relatively modern times. At Stoke St Milborough (Salop), games were played in the churchyard until 1820.[132] At roughly the same time annual revels involving football and skittles were still being held in some Devonshire churchyards. Writing in 1850, J. Sansom described a belief which had prevailed in the west of England, 'that the north side of our churchyards was left unconsecrated very commonly, in order that the youth of the village might have use of it as a playground'.[133] This is borne out by events in 1836 at Berrynarbor (Devon). A significant dispute broke out during the annual revel, when a churchwarden locked the gate of the churchyard. He forbade parishioners from going to 'the

[129] B. H. Malkin, *Scenery, antiquities and biography of South Wales*, London 1807, i. 425–6. Feasting and games even took place within churches, 'as in Cardiganshire, where wrestling matches took place in some upland chapels': Suggett, 'Festivals and social structure', 83.

[130] Hutton, *Rise and fall*, 221. In 1713 the churchwardens of Dorchester (Oxon) presented a woman for refusing to pay for a maypole 'which was given *for the repair of the church*': *Churchwardens' presentments in Oxfordshire peculiars*, 132.

[131] For the medieval background see R. R. Davies, *The age of conquest: Wales, 1063–1415*, Oxford 1991, esp. ch. vii.

[132] G. S. Tyack, *Lore and legend of the English Church*, London 1899, 69.

[133] *Notes and Queries* (June–Dec. 1850) ii. 55; R. Evans, *Home scenes, or Tavistock and its vicinity*, London 1846, 178; W. Hone, *Every-day book*, London 1827, ii, col. 374.

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ancient Bowling Green' on the north side of the church, where they wished to indulge in the manly sport of wrestling 'according to long established annual custom'. The local archdeacon defended the churchwarden, arguing that the church and its yard needed to be protected 'from being profaned by rude sports'.[134]

By the middle of the nineteenth century customary recreations had disappeared from churchyards in all parts of Britain, including the western fastnesses where the old values had survived longest – though no doubt children and young people still occasionally broke the rules.[135] Whether this change truly represents the ultimate victory of the forces of discipline is debatable. Of course it is impossible to deny the influence exerted by early Victorian morality, middle-class respectability, nonconformist zeal and by a revitalised Established Church. They must all have contributed to a deeper and more widespread uneasiness about mixing the sacred and profane. Since the middle of the eighteenth century, age-old fears of immorality and disorder had been complicated by another growing sentiment: the powerful, class-conscious dislike of incivility and uncouthness, especially in public places where it impinged on the lives of the educated and respectable. By the early nineteenth century therefore, in spite of controversy and some resistance, all the most cruel and coarser forms of recreation such as cock-fighting, bear-baiting, street football and traditional fairs were under attack; they were now regarded as so morally corrupting, so socially disruptive and so offensive that they deserved nothing less than total abolition.[136] At the same time, rural life was changing rapidly. As a result of over-population, poor housing, unemployment and poverty, a huge exodus to towns and industrial areas was under way, soon to accelerate when the railways arrived. This was a rural world which was both shrinking and dissolving: in such a context the old values were no longer attractive or meaningful. Furthermore, the churchyard itself was filling up with the heavy creations of Victorian monumental masons and ironfounders, and was becoming

[134] *North Devon Journal*, 15 Sept. 1836. I am grateful to Peter Christie for this reference.

[135] Dr Owen tells me that her father, the Revd J. W. Williamson (1892–1955), as a boy played prisoner's base in the churchyard of Mottram in Longendale (Cheshire). This old game which involved running to a home-base and avoiding capture, was popular in various parts of the country but especially in Cheshire and adjoining counties: Strutt, *Sports and pastimes*, 78–80.

[136] A. Delves, 'Popular recreation and social conflict in Derby, 1800–50', and A. Howkins, 'The taming of Whitsun: the changing face of a nineteenth-century holiday', in E. Yeo and S. Yeo (eds), *Popular culture and class conflict, 1590–1914*, Brighton 1981; A. P. Donajgrodzki (ed.), *Social control in nineteenth-century Britain*, London 1977; R. W. Malcolmson, *Popular recreations in English society, 1700–1850*, Cambridge 1973; D. A. Reid, 'Beasts and brutes: popular blood sports, *c.* 1780–1860', in R. Holt (ed.), *Sport and the working class in modern Britain*, Manchester 1990; R. D. Storch (ed.), *Popular culture and custom in the nineteenth century*, London 1982.

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physically much less suitable for anything other than burial. The centuries-old conflict over the use of consecrated ground had finally evaporated within a single generation.

VII

It only remains to discuss some general points that emerge from this survey and its deliberately long perspective. First, the inconclusive and unsatisfactory nature of much of the evidence needs to be frankly acknowledged. The fact that a churchyard is known to have been used at a particular date for commercial or recreational purposes, does not necessarily mean that it was regularly used in that way, or that it was typical of a wider area. Even when a scribe used the word 'customary', he may have only meant the practice of a few years, and not the tradition of centuries. In other words, custom can be plausibly fabricated to support a contemporary cause. Moreover, standard documentary references may indicate that a particular tradition persisted for generations, without revealing that it was slowly losing its vitality and appeal: witness the hollow tackiness of many village carnivals and parish fêtes in the late twentieth century. In the light of these evidential problems, one obviously courts the danger of building too much on comparatively few examples, recorded in documents which happen to survive.[137]

Nevertheless, although precise and full quantification is impossible, one must try to make generalisations and discern shadowy patterns of regional and chronological variation – if only for others to substantiate or refute. It certainly seems that by the mid seventeenth century the commercial and recreational uses of churchyards had faded out in major towns, where the values of the mercantile and professional middle classes were in the ascendant, and in the more solidly Puritan climate of south-eastern England. As Ronald Hutton has argued, later survivals appear to be mainly restricted to the 'highland zone' of the north and west which were more conservative in religion.[138] Just as customs like 'soul-caking' and the burning of bonfires on Midsummer Eve survived longest in those areas, so did an essentially medieval lay attitude to the churchyard which saw no impropriety in using consecrated ground for commerce or recreation, and no disrespect in dancing or playing games among the graves of one's ancestors.

On the other hand, it is true that in particular parishes the influence of individual clergy or gentry, or of a firm-minded vestry, could produce a

[137] The same criticisms can also be made of Ronald Hutton's largely quantitative and distributional approach in *Rise and fall*.

[138] R. Hutton, 'The Reformation and folklore', *Past and Present* cxlviii (1995), 89–116.

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situation different from the regional norm. Put simply, customs survived and throve in communities where the elite either lacked concern or were positively tolerant because they wanted to live with their neighbours without too much controversy, trading off threats and open conflict. Conversely customs wilted and died when they were strongly attacked by people in authority, for either religious or social reasons, or both. The picture was further complicated when local leaders (whether judges, justices, gentry, clergy, churchwardens or constables) could not agree among themselves. At Bicknoller (Somerset) in 1610 two servants, male and female, were defended by their yeoman master and by local justices against the vicar, who was bound over for 'his uncharitable and malicious courses'. One of several unproven charges he made against the servants was that they had played bowls in the churchyard.[139]

It must be true that many abuses in churchyards were not recorded at all, partly for the reasons given earlier (p. 486) and partly because civil and ecclesiastical regulations often contained ambiguities and loopholes which no doubt puzzled contemporaries or encouraged them to take a chance. For example, from the Middle Ages onwards, what at first seem blanket prohibitions were frequently mitigated by mention of the Sabbath, feastdays and the time of divine service or sermon: in other words they could be interpreted as allowing customary behaviour on other days and at other times. Patrick Collinson has recently highlighted a deeper distinction between sabbatarianism which insisted on Sunday worship but also allowed recreation, and 'sabbatarian absolutism' which was 'whole-day' and exclusively concerned with religious observances. Such differences not only gave plenty of scope for disagreement, but also enabled clergy, churchwardens and magistrates to justify different courses of action ranging from passive non-interference to total suppression.[140] Furthermore, in the words of Steve Hindle, they gave ordinary parishioners 'space … for non-compliance and even for solid resistance'.[141]

It follows that any deeper debate about the secular use of churchyards needs to be based on more identification of the individuals and groups involved – where of course the evidence allows. It is known for instance that some of the men who played cricket in the churchyard of Boxgrove (Sussex) in 1622 were aged between sixteen and thirty-four, and came

[139] *Quarter sessions records for the county of Somerset*, I: *1607–25*, ed. E. H. Bates (Somerset Records Society xxiii, 1907), 60. A classic example, taking place in a church rather than in its yard, is the dramatic ritual of mockery and defiance at Little Budworth (Cheshire), in 1596, basically caused by the struggle between a Puritan magistrate and a Catholic gentleman: Hindle, 'Custom, festival and protest', 166–70. See also K. Wrightson, 'The politics of the parish in early modern England', in O. Griffiths, A. Fox and S. Hindle (eds), *The experience of authority in early modern England*, London 1996, 10–46.

[140] Collinson, 'Elizabethan and Jacobean Puritanism', 36–8.

[141] Hindle, 'Custom, festival and protest', 162.

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from respectable families. In other words, they were not wild youngsters drawn from underprivileged and troublesome backgrounds. On the contrary, their games were not just tolerated but actively defended by the then churchwardens, to whom they were closely related.[142] Similarly, the mentality of local youngsters who played traditional games, and of the older spectators who encouraged them, was very different from that of commercially-minded travelling 'professionals' like pedlars, ballad-sellers, bearwards and minstrels. Nowhere is the value of deeper research better illustrated than at Balsham (Cambs.), where Christopher Marsh expertly linked the desecration of a recent grave by parish officers in 1609 with the existence of an heretical sect called the Family of Love who, nevertheless, were normally integrated and well respected in local society.[143]

Lastly, particular importance attaches to the more complex events which involved large numbers of people, and perhaps whole communities. Here one normally expects to find a range of attractions such as eating and drinking, music and dancing, dressing-up and acting (sometimes of a very basic kind), games and athletics. Indeed, one wonders whether words like 'ale', 'may', 'game', 'wake', 'revel' and 'fair' had exclusive meanings at all, and did not, in normal circumstances, denote broadly the same kind of composite festival capable of attracting sizeable crowds of local men, women and children. The *mabsantau* of Wales and the revels of Devon show indisputably that, at least in some 'marginal' areas, communal meetings on a fairly large scale were still happening in churchyards after 1800. One is tempted to conclude that it was 'Merry Britain' which partially survived until the early nineteenth century, and that, of all battlefields in British history, God's Acre was the most doggedly and persistently disputed. Perhaps the last word can be left with two (?nineteenth-century) churchwardens in the parish of Llanvair Discoed in Monmouthshire. Like generations of their predecessors, they were exasperated by the persistence of those who flouted their authority, so they had the following warning painted on a stile leading into the churchyard:

> Who ever hear on Sonday
> Will practis playing at ball,
> It may be before Monday
> The Devil will have you all.[144]

[142] McCann and Wilkinson, 'The cricket match', 120–1.
[143] Marsh, 'The gravestone of Thomas Lawrence revisited', 208–34.
[144] Fisher, 'Religious and social life in the Vale of Clwyd', 153.

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