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Toleration, Liberty and Privileges

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Introduction

On 15 August 1754, Kingston-upon-Thames fined Thomas Worthington £20 to be ‘tolerated’ as a grocer. On the same day, Elizabeth Duke was fined £20 to operate as a linen draper. These were lucrative trades, hence the £20 fine.1 In Aberdeen on 30 May 1717, tailors granted Rachel Baxter ‘liberty’ for mantuamaking only, requiring guild fees and an extra sum for ‘banqueting money’.2 In La Rochelle, in 1760, Helene Poupelin from St Jean d’Angely applied to open a marchande de modes boutique. Despite having run the shop ‘illegally’ for a year, she was granted the privilege because ‘we have no rules to prevent her’.3 In 1781, the Gritti brothers and Zacharias Sütt set up pastry shops in Vienna and gained the privilege to trade as long as they did not sell Viennese pastries but ‘all kinds of baked goods in the French and Italian style’.4 In 1784, a Spanish royal order undercut calico guilds, declaring that ‘all women could freely sell the products that they themselves made, even if these were the privilege of a guild’.5 In these examples and many others in towns across eighteenth-century Europe, men and women gained privileges or liberty to trade or were tolerated despite not being guild members or having served an apprenticeship.

Guilds are usually seen as the epitome of economic regulation and organization in early-modern European towns. As guilds were corporations closely tied to the nominal male life cycle, historians of women have tended to be chary of them and have identified guilds as a key mechanism for restricting women’s access to honourable trades generally associated with skill – male skill. Clearly, guilds did not constitute an immutable universe, as their regulations and historiography suggest, but were more flexible than previously asserted. Many developed complex relationships with the ambiguous world of ‘non-guild’ workers. At the same time, a range of pressures challenged guilds. Undoubtedly there were shifts in how they operated, who they could maintain control over and the effectiveness of these essentially mercantilist organisations. Many skirmishes were about gender: ‘outsider’ men encroaching on the privileges of guildsmen and women impinging on the worlds of men. Clare Crowston underlined the fact that ‘gender in the guilds remains largely a non-issue for historians of the corporate system’.6 However, as the cases above show, the story of guilds is neither a simple account of exclusion nor inevitably
Deborah Simonton

about women. It is a story that is fundamental to the urban world of eighteenth-century Europe where permission to trade could depend on gaining tolerations, earning the liberty of the trade and using the privileges associated with it. It is also a political story, since guilds were intrinsically linked to the political organization and management of many urban communities.7

The guild system

There is a renewed debate on the role and impact of guilds on the economic growth of towns. Some historians see them as a dampening force on innovation and change, while others argue that their institutional structure was ‘a vital ingredient in preparing [Western Europe] for its exceptional economic head start’.8 Yet, as Bert De Munck suggests,

Most scholars now agree that guilds were not monopolistic [but]… conducive to economic growth. On the labour market, restricting the group of employers eligible to use skilled labour…encouraged masters to invest in training and promoted the formation of human capital. On the product market, standardizing products, guaranteeing product quality, and applying trademarks enabled masters to respond to price competition with niche products and high quality.9

Thus, Jan Lucassen suggests that the question is no longer whether guilds were important or unimportant, backward or innovative, but rather in what circumstances they could play such a role and in what conditions those involved could reap benefits of membership.10 This point is especially pertinent to issues of gender.

Women's access to recognised skilled work was customarily limited or prevented altogether. Men also were subject to restrictions, but simply being male and identified as ‘workers’ meant that their exclusions and inclusions often were of a different character. Prime among these was whether or not they had completed an apprenticeship, qualifying them for guild acceptance. Increasingly, other mechanisms of recognition for both sexes emerged, including tolerations, purchase and inheritance, while burgess rights and legislation could also bypass apprenticeship. ‘Tolerations’ were simply a device to grant permission to trade when individuals were technically unqualified. They could involve a license, a fee or a fine, the latter implying the individual's lack of ‘privilege’ to trade. Once individuals completed an apprenticeship, they had the ‘freedom’ or 'liberty' to trade. Those without this right were often referred to as ‘unfree’, which simply noted their lack of trading rights.

By the eighteenth century, guilds were an established reality, and their link to urbanisation was profound. They were woven into the urban fabric, defining the essence of many European towns. Towns were built on a foundation of corporatism, and Geoffrey Crossick maintains that guilds were intrinsically, not accidentally, urban; and that artisans were historically bound up with the definitions and meanings of towns long before industrialisation made urban life a more general experience. Thus 'Bologna’s shoemakers insisted…that crafts were an urban activity and had to be defended as such’.11 Sheilagh Ogilvie argues that urban guilds continued to monopolize proto-industrial production because they retained institutional powers, especially in central, southern and eastern Europe.12 Guilds derived their character and influence from their roles as organisers of the town economy, and they deliberately sought to keep bodies incompatible with guild organisation outside the town. They held the means of economic regulation by applying ostracism for disrepute against deviants outside and within.13 It is precisely the significance of guilds and corporations as urban legal and economic institutions that makes them important to understanding gender in the eighteenth-century urban economy.
State intervention was a factor shaping the urban scene. For example, in Scandinavia, royal efforts to solidify absolutist government resulted in tension between central power and urban independence as towns clung to ancient privileges and traditions. In Denmark, the period from 1681 to 1862 was characterised by the royal government seeking to restrain guild culture, perceiving guilds as independent organisations operating outside their control. It intervened in guilds’ autonomy, removed restrictions on journeymen, supported free masters and promoted internal competition rather than the restraint of trade. Ogilvie argues that, in contrast, most German states ‘cooperated far more than they competed with guilds, securing local level political support, regulatory cooperation and concrete fiscal assistance, in return for confirming and enforcing guild privileges’. Across Germanic and Nordic regions, laws and customs regulated the mobility of labour and readily excluded individuals if they did not meet conditions for residence in a town. ‘Incomers’ were particularly vulnerable. Christian Iversen had to obtain citizenship (borgerbrev) in Odense (Denmark) in 1778 before operating a printshop, even though he came from Copenhagen, while Astrid Küntzel, considers ‘being alien’ one of the main reasons for exclusion from civic rights and guilds in Cologne. Tine De Moor argues that guilds needed state backing in their struggle for survival, and that in many places, the state was one of the forces undercutting them. The French government used the precepts of free trade to abolish guilds in 1776, reinstating and reforming them the next year, opening them to ‘unfree’ men and women who had not been able to meet previous tight guild controls. Steven Kaplan argues that the reforms attempted to create a rationalised system that would promote occupational mobility and greater competition while retaining quality assurance and an ordered economy. Thus, ‘Necker envisaged the creation of a climate of fruitful tension between liberty and a notion…deliberately vague of responsibility as defined by the state’. The British Parliament
tended to support guilds and continued to practice mercantilist policies until the nineteenth
century, since trade was Britain’s lifeblood, and supporting merchants and artisans contributed to
Britain’s economic success. Legislative, social, economic and cultural environments were much
more favourable to women’s business involvement in the northern Netherlands and, to a lesser
extent, in Britain, where democratic impulses were stronger than in other parts of Europe. Yet,
anxiety about ‘incomers’ remained active here too. Aberdeen regularly banished people like
Isobel Camron, who was of ‘bad fame and character with no visible means of support’ although
her only misdemeanour was vagrancy; as she ‘did not belong’ to Aberdeen, she could readily be
sent away. Gender was an important, but not exclusive, element.

Guilds were closely linked to citizenship and political power. Throughout Europe, guildsmen
appeared on town councils, and the system ‘with all its ways penetrated…political institutions
through and through’. In some towns, it was necessary to be ‘free of the city’ to join a guild,
while in others only guild members were voting citizens. In Aberdeen, a small exclusive oligarch
closely linked through political, business and marital interests governed and also represented
the businessmen who built and ran the economy. In Odense, *Borgermeisters* [mayors] similarly
came from the economic elite, while a group of 24 men called the ‘elgedere’ citizens were con-
sulted in questions of town revenues, expenses and projects. The key difference was the selection
process. In absolutist Denmark, the king appointed the magistracy and town government rested
on royal decrees, while Aberdeen was based on burgesses’ votes. Thus, how guilds operated
varied, as did their strength and role in urban life and their relationship to political systems and
structures.

**Laissez faire, commerce and the world of goods**

Growing pressures from population growth, Enlightenment ideas of individual liberty and *laissez
droit*, increasing local and international commerce and changes in the production and consump-
tion of goods were important forces shifting the power and role of guilds. The emergence of a
wider range of products, including more luxury and semi-luxury items, was a key aspect of this
shift, in Britain marked by manufactories like those of Matthew Boulton in Birmingham and
Josiah Wedgwood at Stoke on Trent. Simultaneously, the marketplace provided opportunities
for men with money and acumen to establish themselves in commercial ventures. While guild
structures and traditions retained purchase on how trade operated in corporate towns, commer-
cial pressures undercut their hold. They fostered a more open approach to business and exchange
and contributed to growing civic pride and self-confidence.

Guilds and guildsmen were not equally powerful, with a hierarchical difference between
merchant and trade guilds. In some towns, the corporate structure transformed as these mer-
chants, rather than craftsmen, began to gain the upper hand politically and economically. For
example, the artisans represented by Aberdeen’s Seven Incorporated Trades were politically infe-
rior to the merchants. They could not elect councillors and could choose only two of their own
to sit on the council. Similarly, tensions between the merchant elite who gained control over
Milanese silk production in the eighteenth century and the weavers’ guild created a two-tiered
system that meant the weavers’ guilds ‘became increasingly subordinate to the merchant class,
state of affairs accentuated by the growing importance of imitations of foreign fashions’. In
Spain, ‘calico factories called into question the already unstable position of guilds’ in economic
life. Masculinity is not homogenous, and one of the key issues of status and power is the
conflicting masculinities thrown up by different situations and cultural traditions. Not all men
link to power equally, and hierarchies of power exist within a hegemonic masculinity, itself
constructed by context and relationships.
New working practices and non-guild trades undercut guilds’ solidarity and challenged occupational controls. As employers increasingly hired waged labour instead of journeymen and it became more difficult to achieve mastership, partly due to population increase, pressure from ‘outsider’ men trespassing on guildsmen’s privileges, and women encroaching on the male property of skill, challenged the standing of guildsmen. There also was a great deal of mobility with journeymen moving from one master to another and from one type of work to another. Additionally, the hierarchy of trades underwent disorientation in the fluid economic situation where time-honoured occupations declined and new ones rose to take their place. This created uncertainty about status and heightened concern for social distinctions, and guilds and civic authorities struggled to maintain rights between masters and men and between small and large masters. Each expected their position to be protected and their rights not to be abused. Increasing pressure on status and anxiety about masculinity provoked guildsmen to target ‘unfree’ workers, and they were more vigorous in policing men than women. De Munck argues that the system was more important to masters than journeymen or apprentices and that vested interest in their own position led them to fight for the retention of guild regulations. Leonard Rosenband illustrates the tensions and effective structures of bilateral power wielded by journeymen and masters in Lyonnais papermaking, which enabled journeymen to challenge masters’ control. Whilst the paternal image had meaning in the urban community, ‘the workshop was not…a system based on the bond between the master’s family and his journeymen where all lived together in blessed intimacy and familiarity’. Arlette Farge described three opposing concepts at work: the desire of authorities to see the power of the masters was not undone, guaranteeing the policing of the realm; economists looking for opportunities to suppress corporations who held back industrialisation; and wage earners allying with masters to gain the right to set up independently, whilst also undermining the system by breaking contracts to take on more advantageous ones.

**Guilds, skill and patriarchy**

Guilds were closely tied to the nominal male life cycle and strongly associated with masculinity. As Maurice Garden explained: ‘The hierarchy of work was…inherited from the basic stages of life: apprentice, compagnon, master. It was also a largely masculine organization: women’s work was considered inferior or even outside the corporate order’. Guilds defined the transition from apprentice to journeyman and ultimately to mastership; paralleling the male life cycle, it helped define manhood. The vast majority restricted membership to men, prohibited women from becoming mistresses and from accessing apprenticeship or even employment. Widows could inherit privileges, but these were always limited. Crowston argues, ‘the overwhelmingly male composition of the guild system, and its patriarchal vision of the social order, were common threads across western Europe’. But masculinity in the eighteenth century comprised more than a paterfamilias or even a male breadwinner ideal. Honour was central to the emergent Enlightenment man, and merit was key to male self-identity, which was associated with an imperative to enhance family position.

Honour was fundamental to guilds. Honourable trades were associated with a concept of skill – male skill. The property of skill was at the centre of workers’ self-identities, and the notions associated with skill spilled far beyond the workplace to enter the vocabulary of a more generalised labour with its own rights and dignity. A worker possessed not only the tools of the trade but also the trade itself, and it ‘delimited the space between him and his master’. Rituals and ascription of status or honour were important to defend workers’ places and allowed masters a means of controlling work and journeymen. The ‘profundity of the divide between skill and lack of skill offers a key to understanding the insistent concern of
those…whose skills were at risk, to create or consolidate their own associative structures’. The flux and change that infused these worlds exacerbated the issues, since increasingly laissez faire attitudes, a shift towards commercial activity and competition from unregulated proto-industries challenged ideas about work and skill. The need for guildsmen to protect their status was central. ‘Skilled’ work in guild shops was increasingly coded as male, and craft mysteries were not to be shared with women. Men might work alongside women, but skilled work was theirs to claim. Overtly gendered debates shaped how tasks and indeed whole areas of work were coded as appropriate for one sex or the other. Female skills were seen as ‘natural attributes’ and their abilities, like needlework proficiency, as not ‘skilled’. A deeply held sense of gender difference was embedded in concepts of skill. As Gertjan de Groot and Marlou Schrover succinctly stated, ‘Whether a job is skilled or unskilled is mainly determined by the social negotiations that surround the definitions of jobs and skill’. Clearly women did do skilled work; they were trained, and they frequently worked in guild shops, even substituting for men. Women in some female niche trades also had a sense of their own worth, and Crowston argues that they gained a corporate identity and a notion of female honour that derived from the female nature of their trades and the independence that it allowed them to enjoy. They took pride in their legal and professional autonomy.

Apprenticeship opens a window into the working of gender. Apprenticeships were a distinct element in the male life cycle; boys entered apprenticeships nominally at 14 and, after a seven-year term, produced their masterpiece and entered manhood, although the age of entry and the length of apprenticeship varied according to guilds and towns. The completion of the masterpiece marked a rite of passage from youth to adulthood, as Robert Darnton explained, ‘Having gone through a rite of passage from youth to adulthood, as Robert Darnton explained, ‘Having gone through a rite of passage in the full, anthropological sense of the term, he became a Monsieur’. The relative stability of apprenticeship conveyed a symbolic importance of this stage to young men’s development. Girls too were apprenticed, illustrating the purchase the guild system had on urban life. However, it rarely acted as a rite of passage. They usually could not gain the freedom of the corporation, nor did apprenticeship necessarily enhance their trading position as it did with boys, although where female or mixed guilds existed, girls had more to gain. Apprenticeship mattered most for girls when they acquired a métier. Crowston demonstrates how important apprenticeship was in the world of the Parisian seamstresses, with approximately 1200 apprentices training at any one time. Similarly, in towns like Colchester, Wolverhampton, Bath and Stafford, female apprentices clustered in mantuaking and millinery where those who had completed an apprenticeship had the best chance of continual employment.

Tolerating ‘foreigners’

Granting ‘toleration’ or ‘liberty’ was a common approach to deal with ‘unfree’ traders. Margaret Adam, wife of an Aberdeen shoemaker, was ‘enacted’ [ordered] that ‘she shall not herself nor Allow any other on her Account to keep an open Shop or Cellar within this Burgh…without first liberty already obtained’. The usual reasons that people lacked liberty to trade were that they had not completed an apprenticeship or were ‘incomers’. The problem of ‘foreigners’, as people from outside the town were often termed, was persistent, and Kingston-upon-Thames noted regular complaints since the ‘freemen of this town are most aggrieved [sic] and prejudiced’. The insistence on obtaining ‘toleration’ from guilds demonstrates their regulating and monitoring economic activity. The Court of Assembly regularly called people to account for conducting business while ‘unfree’. It was so common that in November 1759, the court required ‘the usual notice be served on several traders’. Periodically, they required ‘that the
Gender, Privileges and Commerce

wardens of the several Companies [sic] do at the next Hall return a list of the Several persons exercising Trades within this Town not being free of the same. Trades ranging from ironmongers and woollendrapers to shopkeepers, smiths, poulterers and chandlers appeared in the minutes. Men made up the majority, but a substantial number of women attended, often in trades we associate with men. In August 1754, the wardens warned Mrs Byrn ‘not to follow the business of a Chemist ... not being free’. Applicants often claimed exemption. Military service excused some men; thus, Robert Spry’s army service ‘justifies his keeping shop in the town’. A few, like William Worrell, claimed the Freedom of London, but the court required a toleration anyway, so he paid his modest fine of £5 as a hairdresser. Others specifically requested permission to trade, like James Hopwood, who ‘desired a Toleration to follow the trade of Cheesemonger and Oilman’ with his mother. They were fined £5 for him and £10 for her ‘being in partnership’, though no reason for the differential was given.

Many procrastinated by ignoring notices or asking for more time, largely to avoid payment. Thomas Minchin ‘said he did not follow any trade liable to pay’, claiming Widow Salter kept the shop in Thames Street. William Robinson’s wife attended to say that ‘her husband had not been at home since the Notice was left’. In August 1768, George Smith’s wife appeared before the court only to be told that her husband was required to attend in person. Some resisted on the grounds that the fine was too great and they did not earn enough to pay; others decided to stop trading, or left town. Incomers may have been prepared to try elsewhere rather than pay and conform to the vigorous policy of Kingston. The persistence of both the court and the ‘unfree’ was apparent. On 25 April 1783, notice was served on Elizabeth Thompson, draper. On 9 May, ‘it is reported that Mrs Elizabeth Thompson...has been served with the usual Notice and that [she] continue[s] to sell in open defiance. It is therefore ordered that the wardens do purchase some goods...and make a report thereof’. On 22 January 1784 and again on 18 March 1784, they attempted to summon her, ‘she continuing to carry on Trade without a Toleration’. At that point, the record went silent, but she had defied the court for at least a year; noting that she was always referred to as ‘Mrs’ Thompson and operated a high status trade suggests that she may have been of some eminence. She could have been taken to court. The process of granting tolerations was one strategy for regulating but permitting trade to flourish and to allow those who nominally sat outside the guild system to join the urban economy legitimately. In the case of Kingston, records also appear to show no differential treatment between men and women, although women’s access to trades was often restricted by custom and access to training at an earlier point. Tolerations were a formal way to loosen the boundaries of guild control, and they could be coupled with changes in rules, or new rules, to resolve disputes between unfree and free guild workers.

Women and guild membership

Much of the debate about women’s place in guild structures, especially the ‘decline’ thesis, is built on a belief that in a ‘golden age’, women had greater access to independent and skilled high-status artisanal work. The argument runs: women were increasingly excluded from guilds from about the fifteenth century in many continental areas, while in Britain, a different pattern of continuity in low-paid and low-status work existed. However, detailed research often shows that women never had such enhanced access. There is no evidence for Kingston-upon-Thames, Aberdeen or Odense that women had high-status work that they lost. Instead, Daryl Hafter argues that the system of privilege that structured ancien-régime France ‘carried within itself pockets of opportunity’ and flexibility that, paradoxically, enabled some women ‘to break through the web of restrictions’ and participate in the market economy as members of exclusively female
or mixed guilds. Arguing against decline, Crowston says that ‘male prud’hommes’ administered women’s guilds in medieval Paris, while during the sixteenth and seventeenth centuries, female linen drapers and hemp merchants gained control of their guilds, ‘effacing previously existing male corporations and acquiring independent female guilds’. She sees no evidence of reduction in the privileges of female family members of masters in French towns. In fact, urban studies show the growth of commerce and capitalism during the long eighteenth century had contradictory effects for women. In the northern Netherlands, for instance, where women enjoyed greater legal autonomy and economic opportunities than elsewhere, guilds were omnipresent in the crafts and generally excluded women, whereas in the trade sector, guilds were less systematically organised and often allowed full female membership. While certain trades progressively excluded women, the decline of guild control over other sectors together with changing consumer demand gave women new opportunities in running independent businesses, especially in niches like millinery. Although the vast majority of women could not join guilds, they could forge complex links with the corporate system.

Within the system, female life cycle mattered. Women’s relationship to guilds has to be seen within the framework of urban social relations, where family production nominally comprised all able-bodied members and guild membership belonged to the male head of household. Guilds gave protection to married women and co-resident daughters sharing the head of household’s occupation. Daughters could not gain entrance by patrimony although they could confer rights upon suitably qualified husbands, similar to those that widows could grant on remarriage. A master’s wife was normally more secure than a daughter, although her position was less formal than a widow’s. Most craft guilds recognised the important role that wives and journeymen’s families played in a shop. In the hatters’ trade, ‘the preparatory work of tearing and shaving fur from the pelts was done by women’. Because women’s work was often tacitly accepted, formal records are only one part of the story, [since] guilds had no reason to provide information on women because they could not be masters (they were women), could not be apprenticed, and could not take apprentices’. If they had not served apprenticeships, daughters and single women had no right to trade, but could be ‘tolerated’. Even apprenticeship was no guarantee of a position in a system that was essentially patriarchal. In Nantes, three daughters of stocking-frame knitter Saget successfully appealed on grounds of ‘inheritance’ to be allowed to work for a year after their father’s death to utilize materials he had purchased. They reappeared in 1781, when officials stated ‘they had always contributed to the debts [funds] of the community’ and their merchandise satisfied guild requirements.

Figure 3.2 Regulations on Widows, Reglements et statuts des maistres tailleurs d’habits, marchands drapiers et chaussetiers de la ville de La Rochelle, 1753, Article XX.
Guilds were keen to limit widows’ inherited privileges, while women with patrimonial rights remained outside of the political life of the corporation. Usually, masters’ widows were allowed to pursue their husband’s trade, but whether or not they could take apprentices in their own right or pass the trade on to children varied. For example, French printers’ widows were allowed to continue a shop and retain journeymen, but could not begin a new piece of work nor take on new apprentices, although late husbands’ apprentices could finish their time.\footnote{58} La Rochelle tailleurs d’habits allowed ‘widows of the said masters received & tested by masterpiece for & during their widowhood [to] be allowed to have that trade kept & exercised in their homes by a boy who had been accustomed to work that said business’ (Figure 3.2).\footnote{59} Similar restrictions operated in Oxford and Kingston-upon-Thames, allowing a widow to work if she paid quarterage to her husband’s guild; apprentices might serve her as long as she remained unmarried and practised only his trade. No widows took apprentices in their own right and girls were not apprenticed. Widows in the (London) Stationers’ Company retained trades privileges, could take apprentices, were entitled to run his business and his guild membership was transferred to her. Janine Lanza argues for Paris,\footnote{60} Despite the male ideology of incorporated work, widows did forge an identity as part of these bodies. Their experiences showed that they did become highly integrated into the workings of all-male guilds; in turn other masters and the governing apparatus of guilds also acted in ways that acknowledged widows belonging to the late husbands’ guilds.

Widows were frequently very successful and were able to support themselves rather than turning to charity. Their achievement depended on their access to resources and business acumen, although they could never have the same relationship to a guild that masters had, not having served an apprenticeship and lacking the political clout of men. Widows took over their late husbands’ businesses regularly in Odense and Aberdeen, usually trading outside guilds, like newspaperwomen Catharina Biering or Susan Traill, or like bakers Anne Kirstine From, in Odense despite having two qualified sons and Margaret Morice on Aberdeen’s Castlegate, whose house is depicted behind the market cross on the cover of this volume.\footnote{61} Many guild regulations did not say that women could not be members, but they defined how women could access guilds, effectively constructing barriers against them. To maintain control, guilds creatively used their rules to provide alternative entry routes and ultimately created an informal and haphazard female admission system.

\textbf{Figure 3.3} Guild trade signs, Odense, Denmark. Photo © Deborah Simonton.
Tailors and seamstresses

Requiring ‘unfree’ workers to join guilds was a step beyond toleration. With their capacity for multi-tasking, an essential skill for many urban dwellers in their quest for survival, women were involved in both licit and illicit markets, leading to friction with the guilds. Across Europe, urban tailors complained of ‘untrained’ seamstresses engaged in commercial dressmaking in their homes, challenging tailors’ right to make women’s clothes. In Aberdeen, male tailors had a monopoly on making women’s as well as men’s garments, and Ebenezer Bain, guild historian, explained they ‘resented very keenly the introduction of female labour, while the proposal that women should be allowed to set up in business as mantle makers filled them with dismay’. The voluminous minutes regarding ‘tolerations [sic]’ for mantuamakers ‘afford unmistakable evidence of the reluctance with which the craftsmen yielded to their demands’. Despite sturdy resistance, ultimately they granted women modified privileges and compelled them to come within the jurisdiction of the craft, but women did not gain full membership. Having granted individual tolerations as numbers of applicants continued to rise, on 7 November 1728, they argued that it was

a great hurt and prejudice to this Trade, [and] they do therefore statute and ordain that every woman who for the future shall be tollerate to work at mantua-making by the Trade, shall pay yearly to the boxmaster of this Trade for such tollerance the sum of twenty-four shillings yearly, without any mitigation or defalcation whatever.

Thus, in the face of this challenge to their ‘privileges’, the tailors required guild fees and a fine to make petticoats (undergarments) and mantus, loose-fitting dresses often described as ‘blown together’, which disguises the high-quality skill and expertise required. But on no consideration whatever were they to import or deal in stays and other articles of female attire. Bain claimed they were the only craftsmen in Scotland who allowed females to share in their special privileges. Across England too, women seized this opportunity, and men in the old established drapers’ companies tried prosecution to extend their authority over women’s sewing. York’s Merchant Tailors joined Oxford in demanding legislation to proscribe their activities, and when unsuccessful, opted instead to admit women, so that by 1770, women made up 26 per cent of the merchant tailors guild. There was no real technical barrier, but the guilds tried hard to establish one. Thus, the guilds retained for themselves the right to control work and to keep the high-status aspect of the work by forcing women to pay guild fees and sometimes fines.

Like Britain, customary practice often opened access to French guilds. Elizabeth Musgrave notes, ‘the rights of women to purchase rather than to inherit guild status increased in eighteenth-century Nantes and comprised an important modification of their legal position in the city’. A number of corporations modified membership rules to accommodate female artisans, who received limited economic freedoms in a ‘woman’s section’ within male guilds. Again, tailors allowed single and married women over the age of 20 ‘of good repute and standing’ to enter the corporation, sewing for women and children but with no rights to employ journeymen. They paid admission fees, took an oath before the police court and paid for economic privileges, not for full, adult membership. So while this permission to trade did not earn them political power, they used the corporate system to entitle them to engage in business.

In La Rochelle, small numbers of women had a presence in the modistes, merciers and tailleurs guilds. In 1760, Helen Poupelin applied to the modistes to open a linen and marchande de modes boutique, one woman among four extant records, while the merciers guild admitted three women in the 1780s (38 records). Poupelin claimed she had come to town the previous year and
had opened shop not knowing that she needed permission. The corporation and royal officials allowed her to continue her establishment in this city, to conduct the fashion and linen business, just as the other merchants of the same sort (qualité), to conform with police ordinances and fulfill the terms of the application.68 Although tailleurs were similarly overwhelmingly male, women made inroads here as they had in other towns. A list of 1671 included Maria Moyne and seven widows.69 However, timing is important; while some women joined before guild abolition in 1776, most entered later. When the Edict of 1777 reinstated and reformed the guilds, a flood of single, married and widowed women enrolled. Many had probably been working ‘informally’.70 Notably, while widowed and married women dominated female admissions, 14 were single or with an unspecified civil status.

However, there is a potentially different reading to this story. As Hafter shows in Rouen, women were forced to join the guild and consequently lost much of their independence, including the right to govern their own activities. The merger effectively disenfranchised them. The lingères de vieux, or dealers in old clothes, however, responded by refusing to pay for repairs to the cloth hall. This was symptomatic of deep-seated tensions between men who ran guilds and women who were forced to join and pay fees.71 In La Rochelle, the documentation employed explicitly male language: women were listed quixotically as ‘messieurs’, and we cannot assume that this was necessarily a peaceful merger. As in other towns, admission brought income to the tailors’ guild and allowed them some control over what needlewomen were doing. The fact that there is a second small bulge in female admissions in 1783 suggests that there may have been another ‘crackdown’ on unregistered practitioners.

And yet, some women resisted. In Oxford, when the Mercers’ Company required women to join the guild, ‘Ann *****’ advertised,

the Mercer’s (but much more properly the Merciless Company) threatening me with immediate Distress, if I do no leave off my Business or purchase a Freedom of the Company, which would cost about 20£; a Sum almost equal to the whole I possess, and which money they would most probably…[spend] in luxurious Entertainments.72

Most simply refused or ignored the summons. Recent studies have highlighted both legal and illegal ways that women took advantage of guilds’ attempts to isolate them in order to retain a presence within the marketplace. The majority of Parisian seamstresses remained outside the guild, and after the abolition of corporations in 1776, seamstresses in Clermont-Ferrand proudly claimed freedom from guild control.73 In Bologna, women dominated the silk guild by 1796, with 72 female to only 15 male masters. Yet, this is misleading in that the large numbers represented ‘a means of controlling female textile labour and as a way to raise funds and…women often resisted guild membership’. The notion of ‘marginality’ is therefore ambiguous. As Dumont argues, women’s inclination to remain outside guilds suggests we need to re-examine ‘our assumptions about marginality and preferred positions in the world of work’.74 For some women, not joining was a choice, and thus we cannot presume they felt marginalised; poverty was not the privilege of women since guildsmen and masters could suffer too.

Women could operate their own corporations as in Paris, some provincial French towns and Cologne. These reflected areas of the economy where women had an established footing in the garment trades. However, others were less obviously gendered, such as hemp and flax combers, hosiers, fan and wig makers and cloak makers. Notably, having adopted guild organization, female guilds replicated male traditions regarding apprentices, fees and passing on trades, usually restricting the position of maîtresse to daughters of maîtresses. Women tenaciously utilized the system, which gave them tangible economic benefits, legal rights and the privileges and structures
to protect their trade. For these women, the strict adherence to guild traditions and regulations ‘provided an envelope of toleration and encouragement for guild members’ rights and this included the privileges of guildswomen’.

Gender was the primary focus of these artisans; they worked for and with other women and belonged to guilds as individuals, not as family members. They took pride in their legal and professional autonomy and scorned the skills of women working in patriarchal workshops.

Gender and commerce

Custom and control in the workshop, divisions of labour and the political and economic life of many towns inhibited access to certain trades and occupations. The extent of such restrictions depended on the ability of urban power structures to control work and the workforce, which in turn depended on the corporate structure of the town. Changes in institutional structures, methods of production, ideologies and conditions of labour supply impelled guilds to become ever more assiduous in maintaining their control. Ultimately, guilds were important to town economies, but they were not the only game in town. Illicit activities and resistance to the normative influence of officialdom and guilds was significant. The shifts in urban economies allowed spaces within which women and ‘unfree’ men could conduct economic activities and establish identities. Tensions became most apparent when they operated in ways that appeared to challenge the rights and privileges of guildsmen. Many men and women did not want to be in guilds and found alternative strategies. The urban context shaped how they accessed tolerations, liberty to trade and guild privileges. Neither men nor women were passive actors in this situation, and some of the tension was not only about the challenge from unfree men but also concerned female resistance, evidenced by the number of overt attempts to bring them into line. Women often contributed to forcing change in those regulations and took advantage of a flexibility that existed even where guilds and their city corporations tried to ‘hold the line’. It was a losing battle, and by the end of the eighteenth century, urban economies largely functioned outside or alongside the remnants of the guild system.

Notes

1 Kingston Borough Records, KUT, Court of Assembly Minutes, KB1/2, v. i, f112, 114.
3 Archives municipales de La Rochelle (AMLR), HH 14: Corporations. Merciers. Modistes.
5 Marta J. Vicente, Clothing the Spanish Empire: Families and the Calico Trade in the Early Modern Atlantic World (Basingstoke: Palgrave Macmillan, 2006), 77.
7 See Chapter 13 in this volume for the later medieval period.
10 Lucassen, De Moor and Van Zanden, ‘The return of the guilds,’ 9.
16 Ibid., 45–57.
21 Aberdeen City Archives (ACA), *Enactment Books*, 1758–82, 5 December 1764.
22 Walker, *German Home Towns*, 100.
26 Vicente, *Clothing the Spanish Empire*, 77.
29 De Munck, ‘Skills, Trust,’ 212–14.
32 Ibid., 126.
34 Crowston, ‘Women, gender, and guilds,’ 19.
43 ACA, Enactment Books, 28 July 1753.
44 Anne Daly, ed., Kingston upon Thames Register of Apprentices, 1563–1713 (Guildford: Surrey Record Society, 1974), ix.
45 KUT, Court of Assembly Minutes, KB1/2, v. 1, f131, f161; v. 2, f18.
46 Ibid., v. 1, f111, v. 2, f102, f106.
47 Ibid.
48 Ibid., v. 2, f76, f70, v. 1, f170.
49 Ibid., v. 2, f45, f46, f49.
52 Crowston, ‘Women, gender, and guilds,’ 26, n23.
59 Reglements et statuts, 19.
63 Bain, Merchant and Craft Guilds, 256, 257.
64 Ibid., 258.
65 Ibid., 256, 259.
67 Musgrave, ‘Women and the craft guilds,’ 159.
68 AMLR, HH 14: Corporations. Merciers. Modistes. Thanks to Brigitte Commun-Françoise and Jany Grassiot for assistance with these records.
69 Ibid. Tailleurs.
70 AMLR, HH 18: Tableau des Maîtres Tailleurs & Fripiers en neuf & en vieux de la Communauté de la Ville de la Rochelle, 1788.
71 Hafter, Women at Work, 165–73.
73 Crowston, Fabricating Women, 291.
75 Hafter, Women at Work, 91–92.
76 Crowston, Fabricating Women, 408–409.