

A Crime of Fashion: Shifting Sociability and the Second-Hand Trade in Early Modern England

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With the rise of the Consumer Revolution throughout the seventeenth and eighteenth centuries, England saw a sudden influx of luxury goods being imported and manufactured to meet the demands of the population. However, not only were the elites and upper gentry—the typical consumers of these products—responsible for this demand: there was a rapidly growing portion of those on the lower rungs of society who saw the attainment of these goods as an opportunity to develop an aesthetic identity beyond what they had been limited to under previous Sumptuary Legislation.¹ The methods of accessing these goods, however, varied across the social classes: the elites bought from shops and boutiques and often had items custom-made and imported for them; the middling sorts, many of whom were merchants and dealt directly with the importation of these goods, shopped for their products much like the elites did, though the quality of the items depended on the individual's income and were often not custom; and those on the lower end of society—from the lower middling sorts to the working poor—went about the acquisition of these newly desired goods in a manner which relied on social networks rather than traditional shops. There was a long-standing tradition amongst the lower-sorts of purchasing goods that were cheap and guaranteed to last a lifetime—if not a few generations—and to recycle them for further use once they had hit the limit of their worth. This was not a social group who had the money to purchase the increasingly popular, however impractical, finery of the upper sorts. However, they too had the opportunity to access the finer things in life, albeit in a manner less prestigious than those above them on the social ladder. Due to the prevalence of luxury items and the fast-changing pace of fashion, many goods made their way into what is known as the second-hand trade/economy

¹ See Peter Burke, *Popular Culture in Early Modern Europe*, (Aldershot: Ashgate, 1994), 3-22 for a discussion of popular culture amongst the general population in Europe prior to the Consumer Revolution, which relied on the existence of folktales and songs rather than material items to develop their identities.

once they became outdated. Most notable in this trade was clothing and other textiles of various qualities on which this essay will focus. However, the second-hand economy was not simply a route through which the lower echelons of society could access luxury goods at an affordable price; it was also an extensive, well-established form of credit, where anyone finding themselves in a financial tight spot could pawn off their valuable goods—typically surplus clothing—for a short period of time in order to make ends meet. If those debts, however, were not paid off, the item of clothing would be put up for sale and become another piece of what was quickly becoming a highly lucrative and economically vital business. In fact, the trade in textiles became so prevalent that eventually, the textiles themselves became a form of currency, as formal government issued currencies were not made readily available to the majority of society.² As items such as silk ribbons and lace cuffs became more common to see upon the uniform of a washer-woman or other poor-sort, higher society began to voice their concerns, rooted in the ideology of the sumptuary laws, that this would shake the very foundations of civilized life. If anyone was now able to purchase luxury goods, it was argued, how one to distinguish one social class from another? How would society continue to function if there was no determining the rulers from the ruled based on their style of dress, as had been the custom for hundreds of years? Unlike the rest of Europe, England's last sumptuary laws were enacted and then gradually forgotten in the early 1600s under the reign of King James I, but toward the end of the century there were debates as to whether or not they should be brought back.³ Many elites pushed for it, though it was ultimately determined that to do so would be a useless endeavour, as there was no way to enforce the law and the flourishing

² Affluent merchants and noblemen were known to have developed the habit of hoarding coins to be used in what they deemed to be more significant transactions, thus the already scarce resource was all the more difficult for those on the lower rungs of the social ladder to access. Craig Muldrew, *The Economy of Obligation: the Culture of Credit and Social Relations in Early Modern England*, (Basingstoke: Palgrave, 1998), 98-103

³ Beverly Lemire, *The Business of Everyday Life: Gender, Practice and Social Politics in England, c. 1600-1900*, (Manchester: Manchester University Press, 2005), 110

economy was proving to be more important than the nobility's social concerns.⁴ So, it persisted that everyone, regardless of social status, was able to consume luxury goods as long as they could afford them. And with the privilege of buying these goods came, as the elites feared, the possibility of social betterment. While exploring the ideologies behind the sumptuary laws, the development of the second-hand economy, and the method through which goods came into it, this essay will consider the idea of social mobility as attained through the buying and selling of luxury clothing. Looking primarily at the working poor, though also drawing from the expanding middling class, this essay will consider the realities of the opportunities offered by the existence of the second-hand economy, and whether or not any tangible form of social mobility was indeed attainable through them.

Sumptuary laws persisted in mainland Europe well into the 1800s, but in England the last sumptuary law was enacted in 1604 under James I⁵ before falling into obscurity when enforcing them proved to be an impractical use of government resources.⁶ Despite this, the ideals that supported these laws persisted well into the seventeenth and eighteenth centuries. The sumptuary laws started as a way to control the consumption habits of every level of society in order to maintain the social hierarchy as determined by noble and financial standings.⁷ This strict visual division of society—in which the new draperies such as silk were only to be worn by those of noble blood, and even the lengths of skirts or amount of lace allowed was determined by an individual's social rank—were tolerated as an identifying form of authority, akin to a uniform.⁸

⁴ Maria Giuseppina Muzzarelli, "Reconciling the Privilege of a Few with the Common Good: Sumptuary Laws in Medieval and Early Modern Europe," *Journal of Early Modern Studies* 39, no.3 (Fall 2009), 605

⁵ Muzzarelli, "Reconciling the Privilege," 605

⁶ Ibid

⁷ Frederik Buylaert, Wim De Clercq, and Jan Dumonlyn, "Sumptuary Legislation, Material Culture and the Semiotics of 'Vivre Noblement' in the County of Flanders (14th-16th centuries)," *Social History* 36, no.4 (November 2011), 395

⁸ Buylaert, et al., "Sumptuary Legislation," 396

As throughout the Middle Ages especially, nobility was firmly associated with public authority, finery was therefore associated with Great Chain of Being and the God given right of the nobility to rule over the lower sorts.⁹ In England, before their cessation, sumptuary laws operated in much the same way as the ones found on the Continent, with only some slight variations in regards to gender.¹⁰ The most notable difference between England and the rest of Europe was the fact that England's sumptuary laws were dictated by the Crown rather than the cities and counties,¹¹ suggesting that the maintenance of the social hierarchy one of the most pressing concerns facing Parliament. Though with the rise and turn of the Consumer Revolution, the growing economy soon became the forefront of state priorities. However, as merchants became wealthier and a middling sort grew more prominent, the problem of social mobility being achieved through appropriation¹²—rather than birthright or royal decree—was an ever-pressing issue of concern amongst the nobility. Previously, only the nobility and elites were able to amass and display the wealth that distinguished them from the rest of society.¹³ That standard, however, was gradually changing, and with the increase of luxury novelty items coming into the markets, almost anyone was able to find something that fit their budget. At this time, novelty shifted from something that needed to be controlled to something that needed to be made readily available for the benefit of the economy,¹⁴ thus the priorities of the nobility and State begin to shift and separate.¹⁵ Regardless of the State's lax and even encouraging stance on popular consumption, ennoblement continued

⁹ Buylaert, et al., "Sumptuary Legislation," 396-397

¹⁰ Muzzarelli, "Reconciling Privilege," 606

¹¹ Ibid

¹² Buylaert, et al. "Sumptuary Legislation," 395

¹³ Ibid., 396

¹⁴ Paul Slack, "Material Progress and the Challenge of Affluence in Seventeenth-Century England," *Economic History Review* 62, no.3 (2009), 579-580. Despite the popular opinion amongst nobility that consumption amongst the lower-sorts was unnatural and would lead to moral decay, many influential writers and politicians of the period regarded widespread consumption as a mark of an advanced society.

¹⁵ Muzzarelli, "Reconciling Privilege," 601

to be an issue amongst the upper sorts so long as those lesser than them were allowed, and indeed in some cases actively seeking, the possibility of social betterment based on the wealth—whether real or fabricated—that they displayed on their person.

For the first time, people outside of the nobility were able to further develop a sense of their own identity, and further to express that identity, through the purchasing and wearing of luxury clothing and textiles. A bit of silk ribbon tied around the throat, or some lace sewn to the bottom of a skirt seems trivial in the modern era, but in the eighteenth century that small bit of embellishment meant that one was now able to distinguish themselves visually where they had previously been unable to do so. The nobility still had their concerns regarding the blurring of the visual social hierarchy,¹⁶ as novelty challenged the established order¹⁷ by encouraging an unnatural ambition in those not suited to it (i.e.: the lower sorts) which would ultimately lead to a widespread moral degradation across society.¹⁸ However, mentalities were largely changing alongside the fashions,¹⁹ though it was not until the eighteenth century that widespread consumption of non-essential goods became more socially acceptable for those below the elites.²⁰

Beyond social status, fashion was now being used to express religion, gender, and values among other ideals that people previously were unable to publicly display.²¹ Eventually, as it became obvious that Parliament was not going to be bringing back the sumptuary laws, the elites turned to different methods through which they could assert their social superiority. There was a new emphasis on morals and behaviour to distinguish the nobility and the gentry from the poorer

¹⁶ Lemire, *Business of Everyday Life*, 114

¹⁷ *Ibid.*, 122

¹⁸ Muldrew, *Economy of Obligation*, 17-18. Slack, “Material Progress,” 583

¹⁹ Lemire, *Business of Everyday Life*, 112

²⁰ Muldrew, *Economy of Obligation*, 17

²¹ Lemire, *Business of Everyday Life*, 114

sorts who, naturally, would have no sense of manners or how to conduct themselves properly amongst polite society.²² Shopping had always been the common thread tying the social classes together,²³ in light of the Consumer Revolution, however, it was bringing them ever closer in a way that the elites were desperately, though futilely, trying to stop. While they tried to change the standards of polite society by shifting the focus from dress to where one was seen socializing—such as in a posh café²⁴—the visual hierarchy continued to blur, the overwhelming gap between the elites and the lower sorts was slowly starting to close, and despite the efforts to establish new methods of class distinctions, social mobility continued to be a very real and ever looming reality of the Consumer Revolution.

The second-hand economy was an essential and highly personal form of credit on which many members of England's working poor depended. It was highly complex, relying not only on actual credit but social credit as well, and could often be the cause of strife between households, so much so that the courts became aware of its existence and often were known to alter verdicts based on this fact.²⁵ Elite goods trickled down to the lower sorts of society in various ways—which will be explored more thoroughly in the next section—and became essential keys to attaining better goods or simply budgeting more effectively to make meager incomes last,²⁶ not only as items to sell, but as a form of currency in itself.²⁷ Government issued currencies were scarce and as such a trading system was implemented as an alternative method of paying for goods and services.²⁸ This

²² Berg, *Luxury and Pleasure*, 205

²³ Linda Levy Peck, *Consuming Splendor: Society and Culture in Seventeenth-Century England*, (Cambridge: Cambridge University Press, 2005), 26

²⁴ Berg, *Luxury and Pleasure*, 205

²⁵ Lynn MacKay, "Why They Stole: Women in the Old Bailey, 1779-1789," *Journal of Social History* 32, no.3 (Spring 1999), 627

²⁶ Lemire, *Business of Everyday Life*, 88-89

²⁷ *Ibid.*, 91

²⁸ Muldrew, *Economy of Obligation*, 98-103

only worked, however, assuming that an individual had any clothing to be traded, pawned, or sold. Prior to the rise of the second-hand trade, the recycling of most goods amongst the lower class was a prevalent practice.²⁹ Individuals who would come to be the primary users of the second-hand trade had long been raised on the ideal of using each item for all of its worth—and then some.³⁰ Extending the life of a garment through mending was a common practice amongst the working poor:³¹ clothing was frequently cut down to be altered in the home, and occasionally bits of more luxurious fabric—if available—would be used during this process as embellishments in an attempt to increase a garment’s visual worth.³² As it is known that some items were reworked before going into the second-hand economy in order to turn a profit,³³ it can be surmised that the ideals that went along with the era of recycling persisted with the rise of the second-hand trade. This is evident when considering the two-fold value of commodities,³⁴ wherein an item has its practical worth and a further commercial worth should it ever need to be sold, which would have been common knowledge for any individual who had the occasion to interact with the second-hand market.³⁵ While primarily practiced by the working poor, there are examples of elites becoming involved in this trade to make it through difficult times, or simply to make a profit off an old, unwanted family heirloom,³⁶ thus presenting another method through which items made their way into the economy. I have previously discussed the importance of social credit in this trade, as it was the foundation of the deeper and arguably more essential part of the second-hand economy. In the neighbourhoods where the use of this trade was most prominent, many people would forgo involving any state

²⁹ Donald Woodward, “‘Swords into Ploughshares’: Recycling in Pre-Industrial England,” *The Economic History Review* 38, no.2 (May 1985), 191

³⁰ Woodward, “Recycling,” 176

³¹ *Ibid.*, 177

³² *Ibid.*, 178

³³ *Ibid.*

³⁴ Lemire, *Business of Everyday Life*, 103

³⁵ MacKay, “Why They Stole,” 626

³⁶ Lemire, *Business of Everyday Life*, 102

issued currencies and would instead deal solely with the textiles themselves. As their monetary value was known to all, a pair of silk-stockings could be used in payment rather than actual cash.³⁷ Often, however, this was the cause of conflict should one person believe they were being slighted, or if another were to run off with the goods before providing the service being paid for.³⁸ The second-hand trade, however, was not separate from the larger moral economy and credit networks that ran throughout all of England, and negative credit garnered on the second-hand economy was sure to affect one's social credit overall.³⁹ While difficult to accurately get across with the available sources, the second-hand economy was much more than an opportunity for social mobility: rather, it was a way to build connections that could supplement unstable incomes. Though social mobility was certainly possible, the reality was that most people used the second-hand economy as a way to assist in the everyday survival of their underprivileged circumstances, rather than working actively to improve them.

Every article of clothing that passed through the second-hand economy had a story imbedded within its fabric, stories that varied widely with every piece:⁴⁰ a set of sheets stolen from a boarding house, pawned to pay the rent;⁴¹ an out-of-fashion skirt given to a loyal maid by her mistress; a handkerchief, newly made and freshly shoplifted; a family heirloom, sold to make ends meet; the methods of acquisition were numerous and fascinating. The second-hand economy was made up of a variety of individuals with different goals: those trying to get by, those trying to advance their social position, those looking to maintain their status, and of course, those looking

³⁷ MacKay, "Why They Stole," 630

³⁸ *Ibid.*, 628

³⁹ Matt Neale, "Making Crime Pay in Eighteenth-Century Bristol: Stolen Goods, the Informal Economy and the Negotiation of Risk," *Continuity and Change* 26, no.3 (2011), 451-452

⁴⁰ Levy Peck, *Consuming Splendor*, 29

⁴¹ MacKay, "Why They Stole," 632

to turn a profit,⁴² which accounts for the many ways items found their way into the market and subsequently, the hands of the lower sorts. One of the most prevalent and extensively studied methods of acquisition is, of course, theft.⁴³ The proliferation of theft as associated with the second-hand trade was another matter of concern amongst the elite. It seemed to prove the suspicion that the lower sorts were unsuited to a life of luxury, and that the opportunities presented by the second-hand trade were indeed leading to the degradation of morals that had been long feared.⁴⁴ The second-hand economy and its associated theft was so well known that victims would visit local pawnshops in an effort to recover their stolen goods.⁴⁵ Judges often altered their verdicts based on this fact as well, as it was quite common that charges of theft were in reality strife amongst neighbours who were in disagreement regarding the use of textiles as currency.⁴⁶ The majority of the time, those who knew their prosecutors were either neighbours or servants,⁴⁷ however it has also been suggested that these types of thefts were more prevalent than the court records would reveal, as it was believed by many to be more effective, not to mention quicker and cheaper, to deal with the thief on their own account.⁴⁸ Theft from employers was a rather common crime, committed by those who believed they were not receiving their proper wages,⁴⁹ or that broken items and surpluses were no longer needed by the employer, and thus, free for the taking. If this is the side of the second-hand trade that the elites were most often seeing—as they were typically the

⁴² Anne E.C McCants, “Goods At Pawn: the Overlapping Worlds of Material Possessions and Family Finance in Early Modern Amsterdam,” *Social Science History* 31, no.2 (Summer 2007), 218-219

⁴³ Beverly Lemire, “The Theft of Clothes and Popular Consumerism in Early Modern England,” *Journal of Social History* 24, no.2 (1990),258

⁴⁴ MacKay, “Why They Stole,” 623

⁴⁵ Lemire, “Theft of Clothes,” 259

⁴⁶ MacKay, “Why They Stole,” 627

⁴⁷ *Ibid.*, 629

⁴⁸ J.M Beattie, *Crime and the Courts in England, 1660-1800*, (Princeton: Princeton University Press, 1986), 174

⁴⁹ Lemire, “Theft of Clothes,” 267

employers being stolen from—it is not surprising that they worried for the state of the country’s moral compass.

While pawning as practiced by the rich is the most well studied, it is the least relevant to this discussion, though there are some things that are pertinent enough to warrant a brief overview. In this case, the use of the second-hand economy in an effort to maintain one’s position in the social hierarchy can be observed, and along with it the occurrence of backwards social mobility. With the new proliferation of luxury goods in England, often the elites would overspend and find themselves deeply in debt. Rather than admit this to fellow members of their social class, they would choose the option to discreetly pawn their luxury goods to pay off those debts.⁵⁰ Additionally, there were long-held traditions within elite society that aided in the proliferation of downward mobility.⁵¹ The practice of primogeniture, for example, led to the guaranteed decline in social status for second sons and any additional children born to the family.⁵² Though it is not discussed to the same degree as upward social mobility, it is rather interesting to note and keep in mind, especially in light of the negative criticisms of the second-hand economy often made by those who considered themselves members of elite society.

The possibility of social mobility, whether achieved via work or by masquerading oneself in luxury clothing purchased on the second-hand market, was not simple. There were many factors at play that must be considered, such as the individual’s original social standing and what skills they were able to draw upon. Largely, it depended on luck of circumstances more than anything else. The jobs that many of these individuals held—such as servants, and other positions that did

⁵⁰ McCants, “Goods At Pawn,” 217

⁵¹ Downward mobility was especially common between 1560-1640. Lawrence Stone, “Social Mobility in England, 1500-1700,” *Past & Present* 33 (April 1966),

⁵² Stone, “Social Mobility,” 37-28

not require paid apprenticeship—were not by any means secure, with the longevity of their position being at jeopardy to physical wellness, employer's' whims, and the state of the economy.⁵³ For any person to be in a place to consider the possibility of social mobility, it was necessary that they at least have a modest surplus of either money or goods⁵⁴ which they would then, via the second-hand market, use to acquire clothing that would allow them to transcend visual socio-economic barriers. It goes without saying that the amount of surplus needed for any one individual to be able to purchase a single jacket or pair of shoes of better quality would be substantial, and not a reasonable expectation, nor feat, for anyone supporting a family or trying to live a half-way decent life. Often liberties had to be taken in the short-term for the hope of a better life in the long-run, however, this was one of the more uncommon methods used due to its impracticality.⁵⁵ Realistically, it was only single men⁵⁶ who had any significant opportunities at social mobility, and two examples of this can be found in Maxine Berg's book *Luxury and Pleasure in Eighteenth-Century Britain* with the stories of William Hutton and James Bisset.⁵⁷ James Bisset came from a family with modest wealth; he was able to pay for an apprenticeship with a japper and came to the city already in possession of a rather nice wardrobe including a cashmere waistcoat and a laced shirt.⁵⁸ Though he, like many others, had fallen upon hard times after his apprenticeship was over, already being in possession of a significant surplus of expensive clothing was key to his later success. With the clothes he was able to maintain a respectable appearance despite lacking the wealth to back it up,⁵⁹ and was able to steadily pull himself back up the social ladder, eventually

⁵³ Hill, *English Domestic*, 105-106

⁵⁴ Berg, *Business of Everyday Life*, 88

⁵⁵ Stone, "Social Mobility," 35

⁵⁶ Hill, *English Domestic*, 105-106

⁵⁷ Berg, *Luxury and Pleasure*, 200

⁵⁸ *Ibid.*, 201

⁵⁹ *Ibid.*

going so far as to start a business and marry.⁶⁰ This case was most likely the reality of social mobility: available only to those who possessed wealth already, or enough, at least, to get them a foot into upper society, from where they could further flourish so long as they could make the best of their circumstances and keep up appearances. That's not to say that individuals who had been raised in less prosperous conditions were not able to build themselves up to a better life. Berg's second example, William Hutton, came from an impoverished background and grew up working in a silk mill; despite this, he managed to secure an apprenticeship—how is not stated—and make his way into the city, where he learned to bind books.⁶¹ Throughout his apprenticeship, his purchases were confined to that of clothing, and eventually he began to acquire tools for bookbinding as well.⁶² In the journal that he kept, which Berg references frequently, Hutton noted the importance of his clothing when presenting himself to new people⁶³ and indeed Berg notes that his clothing and possessions allowed him the new opportunities through which he would achieve some social mobility.⁶⁴ Though it is not stated explicitly, it would not be too much of a stretch to assume that some, if not all, of William Hutton's clothing had been purchased through the second-hand trade. In fact, it had been noted that a bag he carried had been stolen.⁶⁵ Again, however, it must be reiterated that these situations seem to depend largely on luck. As social mobility was hardly a threat to their power, the nobility remained a stable fact of life in Early Modern England.⁶⁶ There was no tangible displacement with the increase in consumerism amongst the lower-classes, and while the possibility of social mobility was an optimistic one, in reality very few men were

⁶⁰ Berg, *Luxury and Pleasure*, 201

⁶¹ *Ibid.*, 200

⁶² *Ibid*

⁶³ *Ibid*

⁶⁴ *Ibid*

⁶⁵ *Ibid*

⁶⁶ Buylaert, et al, "Sumptuary Legislation," 417

ever able to take advantage of it and successfully make their way up the social ladder in any significant form.

It seems that those who already counted themselves amongst the elite class were more concerned with the possibility of social mobility than those who would be able to take any advantage of it. From the rise and fall of the sumptuary laws, the emergence of the Consumer Revolution, and the development of the second-hand trade, the nobility consistently worried over their place in society when in reality there had never been any tangible threat at all. The majority of those who involved themselves in the second-hand trade did so out of economic necessity, and it was only a very few who were able to make anything of themselves via that particular route. Those who did already had some modicum of wealth to begin with and were not transcending social barriers in any extreme manner. Rather, they simply took advantage of the second-hand trade in order to present themselves as members of higher social classes until their actual income was able to support it, as seen in the examples of James Bisset and William Hutton. This is supported by historian Lawrence Stone and his extensive work on social mobility in the early modern era. Stone's work backs the conclusion that social mobility was more accessible to those already in possession of wealth,⁶⁷ and reinforces the near impossibility of any substantial mobility in the short-term.⁶⁸ Concerns regarding the moral degradation attributed to the heightened interest in consumption of luxury goods amongst the working poor were more understandable, and indeed justifiable based on the evidence. The proliferation of theft associated with the rise of consumerism and the second-hand trade was well known not only to those involved in it, but to merchants, the elites, and the courts as well. However, due to both the realities of the economic situation of the

⁶⁷ Lawrence Stone, "Social Mobility in England, 1500-1700," *Past & Present* 33 (April 1966), 19

⁶⁸ Stone, "Social Mobility," 17

seventeenth and eighteenth centuries and the sustained ideals in regards to appropriate attire based on social standing, the reality of any social mobility achievable through the second-hand economy was not nearly as common as the elites, and indeed some of the literature, would make it appear.

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