

After the Black Death: labour legislation and attitudes towards labour in late-medieval western Europe

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The Black Death spurred monarchies and city-states across much of Western Europe to formulate new wage and price legislation. These legislative acts splintered in a multitude of directions that to date defy any obvious patterns of economic or political rationality. A comparison of labour laws in England, France, Provence, Aragon, Castile, the Low Countries, and the city-states of Italy shows that these laws did not flow logically from new post-plague demographics and economics—the realities of the supply and demand for labour. Instead, the new municipal and royal efforts to control labour and artisans' prices emerged from fears of the greed and supposed new powers of subaltern classes and are better understood in the contexts of anxiety that sprung forth from the Black Death's new horrors of mass mortality and destruction, resulting in social behaviour such as the flagellant movement and the persecution of Jews, Catalans, and beggars.

I

New syntheses of the Black Death appear yearly, but few of them explore the cultural, political, or economic consequences of the plague comparatively. Instead, perhaps taking their cue from contemporary chroniclers, historians continue to assume that the Black Death was a 'universal' catastrophe with 'universal' reactions and consequences across Europe.¹ But as debate about the social and economic impact of the Black Death between eastern and western Europe or France and England has highlighted, the social, economic, and psychological impact from more or less the same demographic collapse was not everywhere the same; regions might even react in ways that were diametrically opposed.² The Black Death and its successive waves, moreover, appear not to have hit all regions with the same ferocity and demographic consequences. A city such as Douai and its region in one of the most densely populated areas of Europe may not have borne

¹ For a recent work that states this universal argument boldly, see Benedictow, *Black Death*.

² See for instance, Aston and Philpin, eds., *Brenner debate*, and for differences in the economic consequences of the Black Death between the Middle East and Europe, Borsch, *Black Death in Egypt and England*.

the full brunt of plague until 1400,³ and Finland appears not to have been touched until 1440 and through the early modern period only another four strikes of plague are recorded.⁴

Was a place such as Florence or central Italy, where from 50 to 75 per cent of the population was felled in several months of 1348 alone, at a economic advantage or disadvantage after the Black Death in comparison with places such as Douai, Lille, or Arras (in this period a part of the French realm) or Bohemia, where the fourteenth-century plagues hardly appeared, or in Poland and places in northern Germany, where it skipped over vast territories, at least in 1347–53? On a smaller scale, what were the economic consequences for Flemish regions where the plagues were less frequent and deadly compared to northern and western Flanders—places such as Ghent and Bruges—where the Black Death of 1348 and subsequent strikes during the late middle ages were more devastating?⁵ Jansen, Blockmans, and Munro have been among the few to speculate on the relationship between different demographic experiences wrought by plague and economic development. All three have concentrated on the Low Countries and have suggested that the absence of plague and its less frequent and virulent strikes put this region at a comparative advantage: lower population losses meant lower wages, which gave manufacturers a boost.⁶ However, a comparison between centres such as Arras, Douai, and Lille (where there is little evidence of plague mortalities in 1348) and the *drie steden*—Ghent, Bruges, and Ypres (where the evidence now suggests much higher plague mortalities)—the economic consequences appear to have run in the opposite direction: by the 1350s and early 1360s textile output of the *drie steden* had shown ‘a remarkable recovery’.⁷ The same cannot be claimed for towns in southern Flanders, especially Douai, which continued the precipitous decline that had begun as early as the 1270s.⁸

Van Bavel and van Zanden have also shown a more complex relationship between population growth and economic development in post-

³ See Cohn, *Black Death transformed*, pp. 179–80; C. Dhérent, ‘Histoire sociale de la bourgeoisie de Douai’, (unpub. thèse d’École des Chartres 1981), p. 111; J-P. Deregnaucourt, ‘Autour de la mort à Douai: attitudes pratiques et croyances, 1200–1500’, 2 vols., (unpub. thèse, L’Université Charles de Gaulle, Lille 1993), I, p. 60.

⁴ Walløe, *Plague and population*, p. 23.

⁵ Aubry, ‘Mortalités lilloises’; and Berger, *Nécrologe de la confrérie des jongleurs*, pp. 174–80. Van Werveke, *Zwarte Dood*, based largely on excise taxes, maintained that Ghent and Bruges escaped the Black Death. Since 1980 these conclusions have been overturned, see Blockmans, ‘Effects of plague’. While the devastation of the late fourteenth-century plagues may have been less severe in the Low Countries as a whole (as Blockmans and others still argue), records for Bruges, Ghent, and Tournai such as the necrologies of the brothers of the hospital of Saint John (Bruges) show mortality trends not unlike those seen for Florence or Orvieto; see Cohn, *Black Death transformed*, p. 203; Maréchal, ‘Zwarte Dood te Brugge’, pp. 378–80. See also the trend for last wills and testaments at Tournai, Cohn, *Black Death transformed*, p. 203; and Blockmans, ‘Effects of plague’, pp. 839–43, for Ghent.

⁶ Munro, ‘Medieval woollens’, p. 246.

⁷ *Ibid.*, p. 246.

⁸ Espinas, *Vie urbaine*.

plague Holland than earlier seen by Jansen or Blockmans.⁹ As far as demography goes, all four authors are in general agreement: even though Holland may have experienced plague during the fourteenth and early fifteenth centuries, the plague toll was less severe here than for most areas of Europe. Van Bavel and van Zanden have even shown that population rose sharply from *c.*1350 to *c.*1500 in Holland, just the opposite of that for England and most other parts of Europe. But by their analysis this increased population did not lead inexorably to a diminution of wages (nominal or real) and thus did not give Dutch manufacturers (at least initially) a comparative advantage as Jansen and Blockmans argued earlier. Instead, wages persisted in remaining considerably higher in Holland than elsewhere well into the fifteenth century. Yet these higher wages, especially in the countryside, led landlords to concentrate on capital-intensive agriculture, develop rural industries and proto-industrialization, which by the sixteenth century eventually dealt parts of Holland a comparative advantage over its neighbours.¹⁰

On the other hand, the absence of plague or a less serious bout of it certainly did not benefit the economies of Prague or Bohemia either in the short or long run. Although the Black Death did not strike this region until 1380 and only once during the fourteenth century, Prague's medieval golden age peaked around or slightly after 1348 with the foundation of Charles University and the building of its New Town. By the end of the century, the city and region were in sharp decline, which formed the social and economic context for Hussite revolutionary disquiet for the next half century.¹¹ Klassen has seen the absence of plague as the crucial variable for this decline: in contrast to 'the rest of Europe at the beginning of the fifteenth century', Bohemia faced 'a recession with fewer economic opportunities for its people'.¹² Yet for Holland, its less serious encounter with plague led to the very opposite economic outcome.

Despite these disagreements and complexities, such questions of demography and economy beg for further comparative analysis, especially for regions beyond the Low Countries. Although this article will not consider further these particular questions of economic development and plague, it will look comparatively at the Black Death, economics, and economic reasoning on another front—that of governmental attitudes towards labour and the efforts of kings and municipalities to block the rise of wages in the

⁹ Jansen, 'Holland's advance'; and Blockmans, 'Effects of the plague'. Blockmans modified Jansen's argument, maintaining that plague did strike Holland in the fourteenth century, but that it was less severe there than in most places in Europe.

¹⁰ Van Bavel and van Zanden, 'Jump-start'. Earlier, historians of Milan debated whether the absence of plague there in 1348 endowed it with a long-term economic advantage; however, it is clear that Milan suffered gravely from later strikes of the plague through the fourteenth and fifteenth centuries; on this debate see Albini, *Guerra, fame, peste*, pp. 7–9.

¹¹ See, for instance, Fudge, *Magnificent ride*, p. 29ff.

¹² Klassen, 'Hussite revolution', p. 251.

British Isles, France, the Iberian peninsula, and Italy.¹³ The comparative approach will uncover results that are not obvious from an analysis of the records of any singular place viewed in isolation. Instead of formulating new economic models, comparison will here show a wide variety of responses across kingdoms and municipalities that defy any simple economic logic. The kaleidoscope of directions spurred on by the mass destruction of 1348–51, I will argue, should force historians to go beyond straightforward economic reckoning to understand the post-plague legal and economic responses of ruling elites across Europe.

To claim that England's Ordinance and Statute of Labourers (1349 and 1351 respectively) was a neglected field of study would not have been overstated, at least not before 1983, when a talented group of legal and social historians on both sides of the Atlantic turned their attention not only to these two English legislative acts but to the history of labour legislation in England from manorial by-laws at the end of the thirteenth century to parliamentary acts of the early sixteenth century.¹⁴ Yet, given the importance of economic and social history in Britain since the Second World War, it is surprising that Putnam's study of 1908 has persisted for almost a century as the central study of these laws, their enforcement, and significance for post-plague history of agriculture and social relations in England.¹⁵ Scholars across a wide methodological and ideological spectrum—Hilton,¹⁶ Dobson,¹⁷ Hatcher,¹⁸ Rigby,¹⁹ Mate,²⁰ Farmer,²¹ and others—have accepted her results, even praised her work as the 'definitive study of these laws', despite her lack of quantitative rigour to study over 9,000 surviving judicial cases and her prejudicial conclusion that the peasants were guilty of 'extortionate greed' and for this reason 'these laws were necessary and just'.²²

¹³ Except for broad changes in the social conditions of the peasantry between eastern and western Europe or between the England and France, historians have been less willing to study comparatively other questions of political, institutional, and social history that followed in the plague's wake.

¹⁴ On the historiography of these laws, see below notes 22 and 23.

¹⁵ Putnam, *Enforcement of the Statutes of Labourers*.

¹⁶ Hilton, *Bond men made free*, 'B. H. Putnam . . . has not been superseded on this subject' (p. 151).

¹⁷ Dobson, *Peasants' revolt*, ed., calls Putnam's, 'the definitive work on the subject . . . make(s) out a strong case for the view that in the 1350s at least prosecutions under the terms of the statutes were undertaken with considerable efficiency and some success', p. 69.

¹⁸ Hatcher, 'England in the aftermath', pp. 11–12, 24, and 27, following contemporary narrative evidence, agrees with Putnam's contention that the post-plague demands of workers were excessive and arrogant.

¹⁹ For Rigby, *English society*, pp. 115 and 337, the principal source for labour legislation is Putnam.

²⁰ Mate, 'Labour and labour services', esp. pp. 60 and 64–5.

²¹ Farmer, 'Prices and wages', pp. 484 and 490.

²² Putnam, *Enforcement of the Statutes of Labourers*: 'The case for the government is in my opinion even stronger. . . such enormous increase in both wages and prices, demands . . . went so far beyond what consumers and employers could pay . . . that the situation was a crisis of an unprecedented character, involving real danger to the welfare of the community . . . under the circumstances it seems unreasonable to consider such an attempt [to freeze wages] as unfair oppression of the working classes. From the point of view of injustice, the inequity of the low statutory rates of wages was surpassed by the exorbitance of the demands of the labourers' (pp. 219–20). For later studies of labour law—not only in

Equally surprising is the complete absence of any trans-regional analysis of post-plague labour laws by these British historians or earlier in the hands of that remarkable generation of economic historians of the early twentieth century—Lipson, Sir Charles Oman, Rogers, and Sir Paul Vinogradoff. These historians along with more recent scholars—Poos, Clark, Palmer, Dyer, and Given-Wilson—have studied these labour laws from various angles of legal history and enforcement,²³ but none has asked, for instance, why Scotland did not pass any such laws or what difference their absence made for prices or wages or long-term trends in agriculture and artisan production to the fifteenth century or beyond. Nor have any English historians compared their ordinances and statutes with ones south of the Channel.

The Canadian economic historian, Munro, is the only one I know to have compared post-plague wages between England and any place on the continent immediately following the plague. He has shown that the trends in real wages in the building industry in parts of England and the Low Countries show little divergence, despite different political and economic contexts,

1349 and 1351, but also laws such as the statutes of Cambridge in 1388, see Ritchie (Kenyon), 'Labour conditions'; Clark, 'Medieval labor law'; Poos, 'Social context'; Penn and Dyer, 'Wages and earnings'; and Braid, 'Et non ultra'. While these works show the richness and complexities of interpreting the data on labour enforcement, they do not substantially challenge the prejudicial views of Putnam derived from a non-quantitative analysis of these documents. Penn and Dyer are cautious, but show that the 'movement of daily rates over time was clearly upwards' (p. 370) and 'reflect improvements in workers' conditions in general' (p. 372). For a review of labour legislation and coercion from 1349 to the end of the fifteenth century, see Given-Wilson, 'Problem of labour', pp. 85–90. Without referring to Putnam, Munro, 'Wage-stickiness', is implicitly the most critical of her moralistic conclusions; instead of an 'enormous increase' in wages and 'the exorbitance of the demands of the labourers' in the wake of the Black Death, Munro's analysis of wages and prices in England and the Low Countries across a bundle of commodities and occupations in the building industry, textiles, and even the policemen of Bruges shows that wages lagged behind inflation until the 1370s in England and the 1380s in the Low Countries. Moreover, for some industries such as textiles in the Low Countries, the supposed 'Golden Age' for labourers was short-lived even in the fifteenth century (pp. 221 and 226). Furthermore, by setting wages to rates in 1346, a period of contraction and deflation when real wages had sunk to levels not seen since the 1320s, these Statutes were 'unreasonable and cruel' (p. 210). Van Bavel and van Zanden, 'Jump-start', pp. 512–15, however, show instead that nominal wages (standardized in terms of grams of silver) rose higher in Ghent and places in Holland than in English towns and cities after the Black Death and into the fifteenth century, when the unusually high Dutch wages began to converge with wages elsewhere in Europe. In terms of silver the post-plague fourteenth-century rise in wages was only 40% in England compared to 100% in Ghent. The same patterns are seen in terms of wheat prices.

²³ Poos, 'Social context'; and Penn and Dyer, 'Wages and earnings', refined her research by focusing on cases from Essex, the county where the largest number of sentences survive. Poos (p. 48) finds that enforcement in Essex varied greatly from one district to another. For places where the poll tax returns survive, the occurrence of fines for labour infractions in 1352 ranged from less than 1% to as high as 78% of populations. Furthermore, in contrast to the impressions given by Putnam, Penn, and Dyer show that large numbers of cases were brought to court in the early 1350s but afterwards justices 'dealt with only a few hundred offenders in each county' (p. 359). Also, see Dyer, 'Work ethics'. Perhaps the most effective criticism of Putnam is found in Given-Wilson, 'Service, serfdom and English labour legislation', who suggests that the vast number of charges brought against labourers in Essex in 1352, instead of indicating the Statute of Labourers's effectiveness in enforcement, shows the opposite: 'there was more to be gained from breaking the law and paying the penalty' (p. 24). Fryde, 'Peasant rebellion', argued much the same: that despite this statute being 'perhaps the most zealously enforced ordinance in medieval English history' (p. 755), it was 'fairly ineffective . . . employers found it to their advantage to ignore it and could afford to do so' (p. 758).

different monetary policies and devaluation, and different ordinances regulating wages and prices.²⁴ While aldermen of town councils had set wages for shearers and fullers in the wool industry going back to the thirteenth century,²⁵ Munro uncovers no evidence of regional or municipal ordinances in the Low Countries that specified wage levels across crafts and industries as can be seen with Italian city-states or the kingdoms of England, France, Aragon, Castile, and Catalonia.²⁶

The historiography of post-plague attempts to control wages and prices in France shows less scholarly debate and attention than for England. Before Braid's excellent comparative work of 2003, focusing on Provence, little had appeared.²⁷ Around the turn of the twentieth century, Morisseaux and Levasseur saw the labour legislation passed by King John II in February 1351 (two articles [*titres*] of which attacked the Parisian guild monopolies) as anti-corporatist, even a precursor of nineteenth-century *laissez-faire* doctrine. In 1921 Vivier questioned these notions, pointing out that 63 of the 65 articles regulated and restricted work practices, wages, and prices.²⁸ Nonetheless, in 1982, Cazelles returned to the views of economic liberalism held by scholars at the end of the nineteenth century, focusing again on only two of the 65 articles contained in that ordinance.²⁹ Counted another way, these two articles account for even less of King John's extensive and detailed legislation, comprising only two (227–8) of the 252 items legislated. Lastly, in his study of artisans and labour in fourteenth- and fifteenth-century Paris, Geremek analysed the wages of masters and their 'aids' with the construction of the hospice and hospital of Saint-Jacques in Paris from 1340 to 1360, and argued that John's law was ineffectual: despite the 1351 law freezing masons' wages at pre-plague rates, from 1351 to 1355 they climbed fourfold.³⁰

²⁴ Munro, 'Wage-stickiness': 'their governments [those of municipalities in the Low Countries] were sensible enough never to impose wage ordinances, certainly none as restrictive as the Statute of Labourers' (pp. 198–9). However, towns such as St.-Omer legislated three successive wage rises for textile workers immediately after the Black Death; see Perroy, 'Wage labour in France', p. 236.

²⁵ Boone, 'Social conflicts', p. 147.

²⁶ Munro, 'Wage-stickiness', pp. 198–9.

²⁷ Braid, 'Et non ultra'.

²⁸ Vivier, 'Grande ordonnance', argued against the earlier views of Morisseaux, *Legislation du travail*, and Levasseur, *Histoire des classes ouvrières*, and others that the sole purpose of these laws was the freedom of work and John II's hostility towards the Parisian bourgeoisie. The fact that these ordinances also regulated rural work and professions fails to emerge in these earlier studies at the end of the nineteenth century.

²⁹ Cazelles, *Société politique*, pp. 133–4, cites approvingly Vivier's essay of 1921, but then supports the contrary views of the turn-of-the-century economic historians. By Cazelles's account, the ordinances reflected John's 'phobia of monopolies' and efforts to subject the Parisian trades to royal control. For this argument, he concentrates on articles (*titres*) 50 and 51 passed in Feb. 1351. The first allowed anyone to exercise a profession in Paris without authorization from a master already in place; the second encouraged the development of more dynamic enterprise by allowing an increase in the number of apprentices any master could retain at any time; Laurière, ed., *Ordonnances des Roys de France*, II, pp. 352–80 (*titres* 50 and 51, pp. 376–7).

³⁰ Geremek, *Salariat*, pp. 133–4.

None of these French scholars looked beyond the Île de France to evaluate King John's laws comparatively.³¹ Comparisons, however, can be made. The more lengthy and detailed northern French laws of King John differed from the English ones (252 items or chapters compared to seven). First, despite being royal ordinances, the French ones were not national in scope but pertained to one region—the Île de France (even if that region was the heartland of direct French royal rule). Second, they did not concentrate on the mobility and wages of agricultural labourers (as did the English ones)³² but on the wages and prices demanded by urban workmen, artisans, traders, and even professionals as qualified as public notaries.³³

Verlinden's long essay published in 1938 focused on the post-plague legislation in the Iberian Peninsula, and is one of the few to raise comparative questions about labour legislation following the Black Death. It begins by roundly attacking the work of the Russian historian Kovalevsky, who described these laws across Europe and focused on the 1349 ordinances of Pedro IV of Aragon. Kovalevsky analysed these laws principally to gain insights into the demographic consequences of the Black Death in Spain. He supposed that only one local *cortes* in Castile passed any labour legislation immediately after the Black Death, in contrast to the post-plague legislation in Aragon. From this supposition, he then argued that the plague must have left the population of the Iberian interior—Castile—unscathed. Verlinden rightly attacked Kovalevsky's logic and his assumptions about the Castilian sources: in fact, the royal *cortes* of Castile had passed such laws across its four archbishoprics.³⁴ Verlinden went further, arguing that these laws were in essence similar to those passed two years earlier in Aragon,

³¹ *Ibid.*, pp. 132–3, mentions the English Statute, but only to imply that it was much the same as the French law, which is misleading.

³² See Putnam, *Enforcement of the Statutes of Labourers*, pp. 183–5; and Clark, 'Medieval labor law', pp. 335–6. Often students forget that the English statutes also regulated artisan wages and the prices of their finished products. Item 3 of the statutes regulated the daily wages of carpenters, masons, tilers, plasterers, 'and other roofers of houses'; item 4 regulated the practices of cordwainers, shoemakers, goldsmiths, saddlers, horse-smiths, spurriers, tanners, curriers, pelters, and tailors ('The Statute of Labourers, 1351' in Dobson, *Peasants' revolt*, pp. 65–6). Nonetheless, as Putnam, Clark, Poos, and others have shown, agricultural labourers were chiefly the ones prosecuted, followed by landlords who paid the higher wages.

³³ Laurière, ed., *Ordonnances des Roys de France*, II, pp. 352–88; for notaries, pp. 386–8. A second royal ordinance of Jean II in 1354 (*ibid.*, II, pp. 563–6), which railed against the leisure and laziness of workers following the Black Death, was more vague about which labourers it was targeting, referring generally to 'those who worked the land and vineyards as well as those in cloth industry, tanneries, carpentry, masonry, house work, and similar things, and generally all sorts of labour' (p. 565). It required all such labourers to appear before sunrise at the accustomed places where workers were hired; also see Geremek, *Salariat*, p. 126. A third French law setting prices and labour was promulgated after the plague of 1399; *ibid.*, p. 122.

³⁴ For a later summary of the spread of the Black Death through the Iberian Peninsula and its demographic consequences, see Hillgarth, *Spanish kingdoms*, II, p. 4. For further laws concerning wages in Aragon in 1350 and 1351, see Tilander, 'Fueros aragoneses desconocidos', who also mentions other labour laws passed in the Cortes of Zaragoza (1350), Valladolid (1351), and Castile and León, which were not revoked as were the ones of Aragon but went through various redactions. More recently, see Sanz Fuentes, 'El ordenamiento de precios y salarios'; and Torres Fontes, 'Ordenamiento de precios y salarios'.

and that the laws of both kingdoms broadly fitted patterns of post-plague labour legislation across Europe.³⁵

The details of these Spanish laws, however, suggest fundamental differences between Aragon and Castile, and between them and those passed by the English and French monarchies. First, the Aragonese and Castilian laws were more severe and repressive than either the French or English statutes (at least the ordinance of 1349 and the first statute of 1351). In Aragon, the laws prohibiting begging and wandering spelled out that work was obligatory for all except the ill, the old, and children under 12, and defined the working day as from dawn to dusk.³⁶ While the French and English labour statutes calculated wages to include meals to be provided by employers to agrarian labourers and those in the building industry, the Castilian ones required labourers to procure their own. In Castile, moreover, rural labourers had to submit to their lords' demands about their place of work and the months of the agrarian work calendar.³⁷

Similar to the French ordinances but different from the English ones, these Spanish laws concentrated on artisans and urban labourers, setting prices, wages, and working conditions over a wide range of skills from the building trades to numerous professions in the cloth industry. Unlike the French or English laws, the Spanish counterparts went further, even regulating the military, fixing different wage rates for squires and foot soldiers.³⁸ In addition, the Spanish laws were more detailed than even the 252 items that comprised the French ordinances and were more hierarchical in standardizing prices and wages. For instance, an Aragonese statute set prices for non-notarial scribes at a penny a page, specifying that each page had to include 40 lines. Another price-list set different rates for men's, women's, and children's shoes: men's cost more than women's, and those with laces were allowed to be priced higher than ones with buckles.³⁹ The Aragonese laws further specified sharp differences between men's, women's, and children's wages across occupations as well as between masters, day-labourers, and apprentices.

Despite his conclusions to the contrary, Verlinden's descriptions showed significant differences between the two Spanish monarchs' attempts to counteract the new realities of labour after the plague. While the Aragonese laws used only the threat of fines, those in Castile employed corporal punishment of up to 60 lashes.⁴⁰ More fundamentally, Aragon's Pedro IV

³⁵ Verlinden, 'Grande peste', esp. pp. 145–6: 'La grand peste a donc provoqué en Espagne des bouleversements considérables mais sans changer, en réalité, les caractères fondamentaux d'aucune institution politique, sociale ou économique . . . C'est, d'ailleurs, croyons-nous, une conclusion qui peut s'appliquer à l'Europe entière'.

³⁶ Against claims of a 'backward-bending labour supply curve' and the laziness of workers, especially after the Black Death, Munro, 'Urban wage structures', p. 74, has argued that the working day in England and the Low Countries across trades extended from dawn to dusk.

³⁷ Verlinden, 'Grande peste', p. 129.

³⁸ *Ibid.*, p. 125.

³⁹ *Ibid.*, p. 121.

⁴⁰ *Ibid.*, p. 133; urban artisans were given the possibility of fines in lieu of public flogging.

repealed his wage and price laws almost immediately in 1352, while those in Castile lasted several decades—even longer than the English laws, at least according to its original statute, which was modified in the early 1360s.⁴¹ Lastly, Verlinden admits that the king was too weak to pass such laws in Valencia and left it for the towns to set their own prices and wages, but he failed to investigate whether they approached their post-plague labour crisis as did the monarchs.⁴²

More recently, Braid has added more detail to the variegated picture of labour legislation across the monarchies of England, France, Aragon, and Castile, especially with regard to the labour laws of Provence promulgated in October 1348. As well as being the earliest of the European labour regulations following the Black Death, these may provide the greatest detail about professions and their products of any of these late-medieval laws. The Provençal ones listed variations in seasonal wages for a wide mix of artisan and agricultural occupations, as well as for prices. For instance, price ceilings were set for 12 types of shoes (perhaps surprising to us, only two types were women's) and specified the prices of various sorts of meat, divided not only by animal but also by cut.⁴³ Braid's discussion of these Provençal statutes and attitudes to labour within a wider framework of post-plague monarchical legislation does not, however, consider labour laws passed by city-states in Spain, Italy, or elsewhere.

II

To observe reactions of urban governments to the plague's labour shortages⁴⁴ we must turn to the city-states of Italy. In 1348, despite reports

⁴¹ *Ibid.*, p. 137. For the English legislation of the early 1360s and afterwards, see Given-Wilson, 'Service, serfdom and English labour legislation', pp. 27ff. In 1369, the Castilian wage and price statutes were re-enacted with, however, a 50% increase in prices and wages.

⁴² It should also be noted that Pere III had to negotiate with the towns to pass wage and price laws in Catalonia; see Hillgarth, *Spanish kingdoms*, I, p. 356. To date, I know of no studies of Spanish municipal labour laws, except the publication of those of Ecija (Sevilla) promulgated by Pedro I of Castile on 12 Oct. 1351; see Sanz Fuentes, 'El ordenamiento de precios y salarios'. Also, these were almost identical to those for Niebla in Sevilla.

⁴³ Braid, 'Et non ultra', pp. 455 and 458–9.

⁴⁴ Most historians today argue that the plague did result in labour shortages across occupations and over the long duration from 1348 to at least the last decades of the fifteenth century, with a consequential rise in both nominal and real wages. Such is the view of Herlihy, *Medieval and Renaissance Pistoia*: 'There is . . . no obscurity at all concerning the impact of the mid-century calamities upon wages. They moved strongly upward . . . Wages moderated somewhat in the early fifteenth century, but still remained at better than three times the levels of the middle thirteenth century—this in spite of cheapening commodity costs', p. 151. Furthermore, even in the inflationary years following the Black Death, wages 'were increasing by a much larger multiplier, by three and one-half or even four times' (as opposed to two and one-half times of prices, p. 152). From an exhaustive analysis of prices and wages, la Roncière, *Prix et salaires à Florence*, concludes much the same; moreover, he argued that Florence was not unusual in this respect but rather indicative of Europe as far east as Krakow (pp. 769 and 776). More recently, Tognetti, 'Prezzi e salari', from an even more extensive survey of prices and wages, concludes: 'clearly the two decades after the Black Death and the first seventy years of the fifteenth century were without doubt two periods favourable to the *popolo minuto*, especially the second one', p. 275. Also, see

of soaring prices and wages (and not just nominal wages)⁴⁵ and claims of manual labourers' greed by chronicles such as Matteo Villani, Marchionne di Coppo Stefani, and Giovanni Boccaccio (at least as regards the gravediggers),⁴⁶ the principal legislative bodies of the Commune of Florence (the *Popolo* and the *Comune*) remained almost completely silent in limiting the wages and prices of its urban work force.⁴⁷ The grain officials of Florence

Goldthwaite, *Building of Renaissance Florence*, pp. 343–50; and Pinto, 'I Livelli di vita dei salariati cittadini' for similar conclusions. For similar trends elsewhere, see Geremek, *Salariat*, p. 123 (for Paris): real wages rose sharply after prices sank in 1353. Others such as Bresc, *Monde méditerranéen*, I, p. 213, concludes much the same for Sicily and Europe writ-large. For England, Dyer, *Standards of living*, and Hatcher, *Plague, population and the English economy*, p. 73, continue to confirm Rogers's view of 1866 (*History of agriculture and prices*, vol. 1). More generally, Slichter Van Bath, *Agrarian history*, pp. 101–4; and Abel, *Agricultural fluctuations*, pp. 49–59, see a late-medieval golden age for the artisan. For them, however, it did not begin until the last quarter of the fourteenth century and in places not until the fifteenth century.

On the other hand, Perroy, 'Wage labour in France', pp. 234–5, shows that the Black Death and successive plagues through the early fifteenth century did not create a consistent pattern in wage increases from one region to the next, at least as far as the experience of vineyard workers goes (the only agricultural labourers for whom wage data survives in any quantity in France). Moreover, labour shortages were not uniform across occupations even within the same city or region. For instance, by the mid-1370s labour surplus rather than shortages characterized the wool industry in Florence, giving rise to un- and under-employed carders, shearers, and other artisans in this industry joining the Florentine army during its war with the papacy (the War of Eight Saints, 1375–8). The industry's decline led wool workers during the revolt of the Ciompi (1378) to place a production quota of 2,000 cloths per month on their bosses to secure employment. More broadly, Tognetti, 'Prezzi e salari', pp. 307–9, charts diverging trends in Florentine labour markets (agricultural versus the building industry) from the Black Death to the sixteenth century. Migration also changed labour markets drastically in the post-plague period. An influx of immigrant labour into the region of Barcelona caused wages to fall and, according to Wolff, 'Pogrom in Spain', p. 16, was a factor leading to the rebellion of Barcelona in 1391. The same happened in Prague during the last decades of the fourteenth century; see Fudge, *Magnificent ride*, p. 29. In addition, the post-plague labour markets may not have been the same for men and women in various parts of Europe; see Goldberg, *Women, work, and life cycle*; Cohn, 'Women and work'; Bardsley, 'Women's work reconsidered'; and Hatcher, 'Debate'.

⁴⁵ Goldthwaite, 'I Prezzi del grano', esp. pp. 8–9, shows that grain prices continued to rise until around 1390 (about the same time commodity prices peaked in the Low Countries and a decade later than in England; see Munro, 'Wage-stickiness', pp. 185 and 219). Nonetheless, according to la Roncière, *Prix et salaires à Florence*, wages of gardeners and other unskilled labourers (*manovali*) increased by over three times from the years immediately preceding the Black Death to 1380, far outpacing increases in commodity prices: 'En definitive, l'envol durable des salaires florentins après 1350 reflète à la fois la pénurie de main-d'oeuvre' (p. 769) Also, see Tognetti, 'Prezzi e salari', p. 275, who sees real wages raising by the early 1370s.

⁴⁶ Villani, *Cronica*, I, pp. 15–17 and 392; Stefani, *Cronica fiorentina*, p. 232; and Boccaccio, *Decameron*, pp. 15–6. Such reports and complaints about the greed of workers can be seen from chronicles in the Midlands of England (Henry Knighton, in Horrox, ed., *The Black Death*, p. 79) to Egypt (Maqrīzī, *Al-sulūk li-marīfat duwal al-mulūk*, p. 380).

⁴⁷ Given Munro's statistics for wages and prices from a variety of sources and professions in England and the Low Countries ('Wage-stickiness'), the Florentine solution of no new legislative action appears to have been the rational one (at least with regard to their urban work force). According to Munro, the years following the Black Death (in England until the 1370s and the Low Countries until the 1380s) real wages declined. Against the claims of Hatcher and others such as Dyer, *Standards of living*, and more recently, *Making a living*, Munro, does not see the latter half of the fourteenth century as a 'golden age' of labourers; rather, even for the deflationary periods at the end of this century and through the next, he finds that most wage-earners and those paid by the piece experienced a decline in their real wages and standard of living. In addition to Dyer and Hatcher, historians of Florence and Tuscany (see notes 44–5) have produced statistical series showing real wages rising as early as the 1350s, despite an initial spike in inflation that lasted at least until the 1370s.

did pass measures, but these differed from those of the Kings of Aragon, Castile, France, and England. In Florence, they sought to control only the wages of the lowest stratum of workers, many of whom probably resided in the countryside—stable boys, wet nurses, female domestics, and unspecified apprentices (*garzoni*).⁴⁸ These laws, moreover, do not appear to have had the full force of Florence's law enforcement and were short-lived. There is no evidence that the two legislative bodies of Florence—the councils of the *Popolo* and the *Comune*—promulgated them, thus entering the city's law registers called *provisioni*; nor did they become part of the city's statutes in 1355. Furthermore, I know of no criminal cases that prosecuted infractions against these grain officials' laws in Florence's voluminous surviving judicial archives.

Furthermore, of the large array of urban artisans in Florence, the grain officials impinged only on the prices of goods sold by cobblers and tailors. In addition, unlike price and wage ceilings set by royal governments, which attempted to return artisan prices to the deflationary years preceding the Black Death, the Florentine regulations accepted the sharp rises in prices that had already taken place after the Black Death.⁴⁹ In a similar vein, to meet the demands of their dependants, the wool guild (*Arte della Lana*) established a new committee after the Black Death, not to depress the wages of their 'factors, apprentices, and workers' to the deflationary levels prior to the plague as did the monarchs north of the Alps, but to revise them upwards.⁵⁰ Similar price adjustments can be seen in other economic realms: with the sudden loss of so many city employees, Florence became anxious about maintaining public security. On 14 July 1349 in an attempt to replenish lost numbers, the commune authorized increases in the salaries of foot soldiers (*stipendiarios pedestres*) and especially those of its special forces of crossbowmen and constables.⁵¹ Less than a month later (6 August, 1349), the Florentine councils passed an ordinance '*propter pestem*', which reduced the number of its city police (*beroviorum*), but, at the same time, increased their monthly wages, even though the police had not petitioned the councils for it or carried out any protests seen in the chroniclers or archival accounts to boost their wages.⁵² As Bowsky, Carpentier, and more recently Smail have argued for different cities, the Black Death caused acts of violence and factional conflict to escalate.⁵³ Hence municipal governments in the

⁴⁸ Falsini, 'Firenze dopo il 1348', p. 474.

⁴⁹ *Ibid.*, pp. 474–5. Also, these laws failed to be codified in the statutes of 1355; Masi, ed., *Statutum bladi*, p. 164.

⁵⁰ *Ibid.*, p. 473. Orvieto was more systematic in raising artisan's prices and wages in the aftermath of the Black Death; see Carpentier, *Ville devant la peste*, p. 151.

⁵¹ Falsini, 'Firenze dopo il 1348', pp. 440–1.

⁵² Archivio di Stato, Firenze [hereafter ASF], *Provisioni registri* [hereafter *Prov. reg.*], 36, fo. 147r. (In his careful combing through the Florentine *provisioni*, Falsini failed to notice this act.)

⁵³ Bowsky, 'Medieval commune', p. 16; Carpentier, *Ville devant le peste*, p. 178; and Smail, 'Telling tales', pp. 186–7. In addition, Falsini, 'Firenze dopo il 1348', pp. 457–66, shows that civil law suits and other quarrels over property also soared after the Black Death.

immediate aftermath of the Black Death may have been particularly on guard against alienating their law enforcers. In Bruges, police salaries also rose after the Black Death and to higher levels than for any other artisan group whose wages can be calculated.⁵⁴ On the other hand, such a trend cannot be generalized for all state employees, at least as far as the evidence from Pisa goes. Of a wide range of salaries investigated by Casini, city officials were the only ones whose salaries declined both nominally and in relation to commodity prices and rents from 1348 to 1375.⁵⁵

While Florence's hands-off policy towards its own citizens and urban workers after the plague may reflect an economic liberalism greater even than that claimed by late-nineteenth-century historians for France, Florence's attitude towards its rural labourers was radically different. The first labour laws to pass through Florence's councils of the *Popolo* and *Comune* (6 August 1349) imposed more stringent restrictions on labourers with fiercer fines than any of the royals' laws reviewed above and may have been the most repressive labour laws enacted anywhere in post-plague Europe.⁵⁶ First, unlike the monarchs' laws, the Florentine decrees bluntly called '*contra laboratores* (against agricultural labourers)' had no countervailing clauses regulating the costs of food or other basic commodities that these labourers were now forced to purchase at hyper-inflated prices.⁵⁷ Second, although the law sought to stabilize the wages of all servants, factors, and wet nurses in the city, *contado*, and district, it was aimed principally at Florence's rural population in the plains and low hills near the city, where Florentine residents held their estates. It fined those who left citizens' farms without permission 100 *lire*. Such a fine was well beyond the wherewithal of the wealthiest peasants in second half of the fourteenth century. By the *estimo* of 1364—the first to survive that calculated household wealth—those residing in Florence's rich alluvial plains near the city possessed property valued on average at only 52 *lire*, half of what Florence now demanded from landless peasants in search of better working conditions. By contrast, the Aragonese and Castilian fines amounted to no more than a labourer's wages for a month or two,⁵⁸ and in England, they ranged from a few pennies to several shillings.⁵⁹ In effect, the Florentine penalty was a sentence of exile.⁶⁰

⁵⁴ Munro, 'Wage-stickiness', pp. 187 and 198; and *idem*, 'Urban wage structures', p. 77.

⁵⁵ Casini, 'Note sul potere di acquisto dei salari a Pisa', pp. 228 and 236.

⁵⁶ This law does not appear in the four acts promulgated by the councils of the *Popolo* and the *Comune* on 6 Aug. 1349, ASF, Provv. reg., 36, fo. 145v–8v, but the law is summarized in subsequent acts of labour legislation in the 1350s, which refer to it as the law of 6 Aug. 1349. Furthermore, Kovalevsky, 'Wirtschaftlichen Folgen des schwarzen Todes', p. 415, shows that the Florentine councils were concerned about mounting labour costs of rural labourers immediately after the plague. Already in 1348 the councils elected a committee of 'good men' to study the problem of neglected work and non-payment of rents on citizens' farms.

⁵⁷ Goldthwaite, *Building of Renaissance Florence*; la Roncière, *Prix et salaires à Florence*; and Tognetti, 'Prezzi e salari' show that prices rose immediately after the Black Death.

⁵⁸ Verlinden, 'Grande peste', p. 133.

⁵⁹ Putnam, *Enforcement of the Statutes of Labourers*, p. 86.

⁶⁰ Provv. reg., 36, 1349.viii.6.

From 1352 to 1363 the Florentine councils re-enacted the ‘*contra laboratores*’ law of August 1349 at three-year intervals, but with three modifications.⁶¹ First, by the second promulgation the clauses against city servants and wet nurses disappeared and the law became exclusively directed ‘against’ agricultural labourers. Second, unlike regions north of the Alps, in southern Italy, or mountainous areas of northern Italy, Tuscany by 1348 possessed few rural workers on large estates who earned wages.⁶² Most were small independent proprietors followed in number by sharecroppers (*mezzadri*). By 1427 (and probably much earlier, before it is possible to calculate their numbers precisely), *mezzadri* predominated in the valleys and hills surrounding Florence, and the *mezzadria* system was the principal form of labour on citizens’ farms. As a result, the new laws now spelled out the different forms of rural labour and various leaseholds it regulated, but concentrated on the particular duties owed by sharecroppers and limited their previous rights over their shares (in effect, their wages).⁶³ Third, in 1355 the councils passed a new law ‘against rural labourers’ that was even more punitive than the original decree. Now, all labourers who ‘damaged’ a citizen’s farm by neglecting to work its fields and vineyards were declared rebels (*exbannitos et rebelles*). By the second half of the fourteenth century, this usually meant execution with accompanying new forms of ritual humiliation, such as being paraded through the streets of Florence wrapped in red-hot chains with pinchers, then buried alive, followed by a post-mortem hanging that left their corpses to rot on the gibbets without Christian burial. Furthermore, the state confiscated rebels’ property and prohibited future heirs from inheriting any of it.⁶⁴

Such severity may well reflect an ‘unreality’ about these laws⁶⁵ and point to Florence’s inability to control its peasants and their flight from the *contado*. Certainly, cases of Florentine citizens prosecuting their *mezzadri* who reputedly ‘damaged’ their farms through migration or by neglect can be readily spotted in the judicial records.⁶⁶ But their number hardly approximates that found in the English court records against violators of the Statute of Labourers, even for a single county such as Essex, when in 1352 alone ‘7,556 people—probably a quarter of the county’s labouring population—were fined for taking excessive wages’.⁶⁷ Yet, as Given-Wilson has argued for Essex, perhaps a heavy rate of enforcement shows the opposite

⁶¹ *Ibid.*, 36, 154v, 1349.viii.6; 42, 114v–15r, 1355.viii.21; 161r–v, 1355.xii.9; 43, 146v, 1356.ix.12; 46, 101r, 1358.ii.22; 51, 71v–72r, 1363.xii.2.

⁶² On the composition of forms of labour across Florentine Tuscany, see Herlihy and Klapisch-Zuber, *Toscans et leurs familles*, pp. 268–77.

⁶³ *Prov. reg.*, 40, 27r–v, 1352.xii.3.

⁶⁴ *Ibid.*, 42, 114v–15v, 1355.viii.21; and 161r–v, 1355.xii.9.

⁶⁵ Epstein, *Wage labor and guilds*, p. 237, has made this observation regarding the inflexibility of the less repressive English Statute.

⁶⁶ See Cohn, *Women in the streets*, pp. 25–7. Often patrician widows were the plaintiffs in these cases.

⁶⁷ Given-Wilson, ‘Problem of labour’, p. 86. Moreover, occasionally the Florentine Podestà and Capitano del Popolo sided with the peasants against their patrician landlords, absolving them of any wrongdoing.

of what Putnam and others have assumed; frequent and numerous fines, instead, were proof of the labour law's ineffectiveness. Labourers and landlords calculated that it was more profitable to risk low fines in order to make much more lucrative new contracts. Few incidents of prosecution, on the other hand, may show that the fear of the law was effective: few infractions ensued, because the law was being obeyed.⁶⁸

Other records for Florence lend credence to Given-Wilson's hunch, at least for Florence. Tax records show that the population of villages in the plains surrounding the city where citizens held their landed property remained stable or increased in number from 1348 to the early fifteenth century. According to tax surveys, instituted roughly at 10-year intervals from 1371 to 1414, more rural labourers arrived in these lowland villages ('*venuti*') than left ('*usciti*').⁶⁹ Furthermore, indirect evidence suggests that landlords did not indulge in cut-throat competition for scarce labour in the plains as seems to have been the case in England, especially after the 1370s. Unlike the post-plague trends in rents and wages in England, *mezzadria* contracts (the prevalent form of labour exploitation in the plains near the city of Florence) became less favourable to peasants during the latter half of the fourteenth century.⁷⁰ Yet, despite this worsening of labour conditions, the tax records show Florentine landlords successfully holding on to, even increasing, their rural work force (both *mezzadri* and those who paid other forms of rent) in the lowlands over the course of the fourteenth century, despite the recurrence of deadly plagues in 1363, 1374–5, 1383, 1390, and 1400. The explanation is twofold: first, the lands of the plains were more productive than the hills in terms of acreage, and second, the government made settlement in these lands more attractive, despite these laws, especially after the second plague of 1363. Increasingly, peasants near the city (*mezzadri* and others) were charged tax rates considerably below those imposed

⁶⁸ Munro, 'Wage-stickiness', p. 210, also doubts that these statutes were so well enforced. His reasoning, however, is different: fixed at pre-plague rates when both money and wages were so unusually low, the wages set by the Statutes 'were so very unreasonable and cruel'. The year set for the post-plague standard (1346) had seen wages drop to levels of the 1320s, while in the years following the plague many commodity prices had more than trebled. According to Munro, this cruel absurdity hindered the statutes' enforcement. He further shows that the rise in wages for England and the Low Countries (where no such wage ceilings were imposed) rose by about the same rate in the century following the Black Death; in fact, according to Munro, English labourers fared better than their Flemish counterparts in the years following the plague (*ibid.*, p. 212). Without quantitative analysis, Perroy, 'Wage labour in France', pp. 238–9, concludes the same for France: post-plague wages in England rose higher than in France. Le Roy Ladurie, *Paysans de Languedoc*, I, p. 145ff., for the south of France; and Bois, *Crise du féodalisme*, for the north show real wages rising through much of the late fourteenth and fifteenth centuries as well as immediately after the plague. Also for Paris, see Geremek, *Marginaux parisiens*, p. 39.

⁶⁹ The movement of these rural labourers was over short distances from one citizen farm to the next at the termination of short rental contracts. On the redistribution of the rural population after the Black Death and migratory movements, see Herlihy, *Medieval and Renaissance Pistoia*, pp. 54–71; la Roncière, *Prix et salaires à Florence*, pp. 661–78; Herlihy and Klapisch, *Toscans et leurs familles*, pp. 301–25; and Cohn, *Creating the Florentine state*, pp. 33–8.

⁷⁰ This is the impression given by hundreds of such contracts redacted by the Mazzetti family of notaries, who worked the plains extending from Florence's city walls to Prato (17 km away) from 1348 to 1426; ASF, Notarile antecosimiano, M352–M360 (nos. 13521–13534).

on residents of the more-distant hills and especially of the mountains, where citizens held no property. By the opening years of the fifteenth century, some villages in the mountains of Florence near the borders of Bologna's territorial state were charged as much as 32 times the rate imposed on Florence's privileged peasants near its city's walls.⁷¹

By contrast, Florence was far less successful in retaining its peasants in the more distant mountains that bordered the lands of the lords of Romagna, the territories of Bologna and of Pistoia to the north, and the Chianti hills to the south. For the most part, the inhabitants of these mountain districts were 'free' peasants without obligations either to urban landlords or feudal lords. They were only burdened with taxes and military services owed to Florence. Nonetheless, the demographic trend in these outlining hills and more distant mountains, where urban patricians and artisans held few, if any, properties, ran in the opposite direction to that of the plains and hills near the city of Florence. Population in the mountains declined precipitously after the Black Death to the end of the fifteenth century. A mountain village such as Mangona in the northern Mugello numbered over a thousand in the early 1350s, that is, even after the Black Death's onslaught. Yet, although subsequent plagues through the fourteenth century declined in severity, the population of Mangona and many other mountain villages fell vertiginously. By 1412 Mangona possessed a population of only 138, about a tenth of its immediate post-Black Death population. Subsequent out-migration had ravaged this village more than disease.⁷² Nor did these peasants move to supposedly greener pastures down the plains, closer to the city, or into towns and cities as historians often assume. The remarkable tax registers of the second half of the fourteenth century, which attempted to chart peasant migration by recording the origins of new migrants to every village along with the destinations of those who had departed since the last tax survey, show that the principal source of this demographic haemorrhaging was peasant flight over the Apennines into similar mountain villages in foreign territories and at altitudes that were most often higher up.⁷³

This emptying of village populations along Florence's mountainous frontiers beyond the immediate ambit of its citizens' farms finally forced the

⁷¹ On differentials in tax rates by district, see Cohn, *Creating the Florentine state*, ch. 3.

⁷² For these population trends, see *ibid.*, pp. 89–90. The fact that taxation and government policy were the driving forces behind the precipitous post-Black-Death decline in population of these mountains and not more general economic pressures or opportunities, or the productivity of lowlands versus highlands can be seen by a comparison of these districts with the neighbouring mountain communities across the border in Pistoia. By contrast to the mountain communities within the Florentine *contado*, mountain villages in the Pistoiese (which before 1427 were taxed differently and according to the decisions of the Pistoiese councils) gained population after the Black Death relative to hill communities lower down; see Herlihy, *Medieval and Renaissance Pistoia*, pp. 55–72.

⁷³ Also the population of communities such as Montecarelli in the Mugello highlands (*prope Alpes*) had declined by as much as 10 times from the 1350s to the second decade of the fifteenth century, and communes such as Gabbiano and Castiglione lost their populations entirely through emigration from one *estimo* to the next; see Cohn, *Creating the Florentine state*, ch. 2.

Florentine city councils in 1364—a year after the second strike of plague—suddenly to reverse their approach to agricultural labour scarcity and thinking about rural labour. The legislative councils ceased repeating the laws ‘*contra laboratores*’ (against rural labourers and principally *mezzadri*) and replaced them with new ones they called ‘*in favorem comitatorum*’ (in favour of peasants).⁷⁴ Instead of struggling against the tide of market forces, tightening restrictions, and raising penalties on peasants who ‘neglected work’ in search of better working conditions, the 1364 decree was Florence’s first to replace the stick with the carrot. The new law exempted any rural labourer who would return with his family to the Florentine *contado* ‘to work the land’ (in the plains, hills, or mountains, near the city, or along its more distant borders) from all property taxes (*estimi*), indirect taxes (*gabelles*), and duties in the army and cavalry for six years.⁷⁵ With slightly different conditions and terms, Florence passed 27 such laws ‘in favour of peasants’ from this date to the return of the Medici in 1434; some of these extended privileges and exemptions to peasants up to 20 years.⁷⁶ The laws *contra laboratores* of the Black Death’s immediate after-shock had now become a dead letter.

To repeat, demographic pressures from the lands where Florentines made their profits were not the ones that prompted this legislative about-face. The stimulus came instead from the deep population drain in the mountains of the Mugello, Alpi Fiorentine, the Podere, the Casentino, and the southern Chianti, where privileged urban landlords held virtually no lands until the end of the fifteenth century, and even by then owned them mainly for sport.⁷⁷ Reflecting this sentiment, only the first of these laws *in favorem comitatorum* required those labourers and their families who wished to benefit from the tax exemptions to work the land on short-term leases or as *mezzadri* on citizens’ farms.⁷⁸ Henceforth, in the 26 subsequent acts to 1434, peasants could gain tax exemptions no matter what tenurial relationship they contracted so long as they worked the land, even as independent

⁷⁴ Literally, *comitatorum* would pertain to all those inhabitants of the *contado*, including towns such as Prato; however, the laws are clear that the ones they were trying to attract to Florence’s small towns were exclusively rural labourers and not artisans or merchants.

⁷⁵ Provv. reg., 52, 34r–v, 1364.x.3.

⁷⁶ Provv. reg., 65, 44v–46v, 1377.vi.4; 68, 113r–15v, 1379.viii.17; 72, 171r–72r, 1383.x.20; 74, 204r–205r, 1385.xii.8; 80, 197r–98v, 1391.xii.2; 88, 182r–83v, 1399.x.14; 226r–27r, 1399.xi.7; 328v–29v, 1399.ii.23; 91, 146v–47r, 1402.ix.20; 93, 193r–v, 1404.ii.3; 101, 333r–34r, 1412.i.24; 334r–v, 1412.i.24; 105, 215v–16v, 1415.xi.22; 107, 215r–v, 1417.x.5; 112, 143r–44r, 1422.x.18; 113, 271r, 1423.ii.7; 114, 63v–64v, 1424.xii.5; 117, 122v–23r, 1427.vi.26; 123r, 1427.vi.26; 118, 116v–17v, 1427.xi.20; 120, 461v–62r, 1429.ii.8; 491r–v, 1429.ii.13; 121, 72r–v, 1430.x.26; 122, 2r–v; 2v–3r, 4r–5r, 1431.iv.16; 124, 167v–69r, 1433.vii.8.

⁷⁷ It was not until the late fifteenth century that families such as the Medici made a push to acquire these lands, but they did so to construct hunting lodges rather than to farm these lands for profit; see Elam and Gombrich, ‘Lorenzo de’ Medici’; and Lillie, ‘Lorenzo de’ Medici’s rural investments’.

⁷⁸ On this duality and Florence’s contrasting treatment of peasants within its *contado*, see Cohn, *Creating the Florentine state*, ch. 7. I further argue that highlanders’ petitions and protests—first with their feet (out-migration), then by open and armed insurrection—forced the Florentine state around 1402 to change its attitudes about taxation, welfare, and control of the territory.

proprietors—the principal tenure of the mountain districts.⁷⁹ Thus in Florence, the trajectory of its labour policy towards its rural subjects was not propelled simply or principally by landlords' economic exploitation of their rural estates as may have been the case in England. Broader political motives were for Florence more decisive. With increasing warfare, first from Pisa in the 1360s, then from Milan and its allies in the 1390s and into the fifteenth century, Florence began to see the thinning of its mountainous population along its frontiers as a loss to its tax base and the withering of its peasant cavalry and foot soldiers as posing a growing threat to Florentine political stability and maintenance of political independence. Eventually these political concerns would also be the driving force behind the radical reshaping of Florentine tax policy after 1402 from a dependence on *gabelles* and *estimi* (which weighed heaviest on independent peasants of the mountains). With the progressive *Catasto* of 1427, Florence taxed all peasants according to the same principles regardless of location or the concentration of holdings held by Florentine city landlords.⁸⁰ Even after the Medici returned to power and watered down the *Catasto* in the 1430s, sheltering the liquid assets of bankers and merchants such as the Medici, the 1427 principles of Florence's rural tax system remained intact until the end of the republic, when a new system of taxation, the *Decimo*, was instated.

III

Florence's laws and attitudes towards labour following the Black Death, however, cannot be generalized for other Italian city-states. Although Siena and Orvieto passed laws restricting the movement of peasants and limiting the rights of *mezzadri* in the year of the Black Death (even before Florence),⁸¹ such laws did not appear in the region of Bologna until 1376.⁸² Furthermore, other city-states in central Italy such as Orvieto, Pisa, and Siena were neither as severe nor stubborn in their attitudes and laws towards the well-being of their rural labourers as were the Florentines. As early as June 1348, Orvieto, and by the following year Siena, saw their first concerns as the repopulation of the city and its villages and turned almost immediately from the stick to the carrot, offering tax exemptions to encourage foreign labourers into their territories no matter what occupation they practised.⁸³

⁷⁹ For maps of land tenure and the *mezzadria* system in the Florentine territory in 1427, see Herlihy and Klapisch-Zuber, *Toscans et leurs familles*, pp. 275 and 285, and for a discussion of the distribution of the *mezzadria* system during the second half of the fourteenth century in the *contado* quarter of Santa Maria Novella, see Cohn, *Creating the Florentine state*, pp. 17–19.

⁸⁰ On the changes in taxation imposed on the Florentine countryside from the *estimo* to the *catasto*, see Herlihy and Klapisch-Zuber, *Toscans et leurs familles*, pp. 22–4; and Cohn, *Creating the Florentine state*, pp. 95 and 198.

⁸¹ Bowsky, 'Impact of the Black Death', p. 26; and Carpentier, *Ville devant la peste*, p. 204.

⁸² See Pirillo, 'Peste Nera', p. 208.

⁸³ Carpentier, *Ville devant la peste*, p. 149; and Bowsky, 'Impact of the Black Death', p. 26.

Moreover, these cities⁸⁴ along with Venice,⁸⁵ Milan,⁸⁶ and most likely many other Italian city-states took a less protectionist stance towards the privileges of its urban workers and artisans than did the Florentines. These other city-states legislated escalating price ceilings and extended tax incentives to foreign artisans and shopkeepers to come and establish their trades within their city walls from 1348 onwards. For instance, on 28 August 1348, Pisa offered 'privileges, fiscal immunities, franchises, and citizenship' to any who would migrate to Pisa with their families and live either in the city or its suburbs.⁸⁷ In October 1348 Siena extended citizenship to foreigners in an attempt to attract foreign labour to the city;⁸⁸ in 1349, Venice offered tax exemptions to attract skilled labour into the city from its own *terraferma*;⁸⁹ and in the late fourteenth century, Milan concentrated its exemptions on merchants and artisans to attract those who were better-off into its city walls.⁹⁰ By contrast, it was not until 1431 that Florence's sweeping tax exemptions offered to agricultural labourers finally began to apply also to those who chose to migrate to and work within the city of Florence and thus compete with Florence's own urban work force.⁹¹ In regard to its post-

⁸⁴ For Orvieto and Venice, see Carpentier, *Ville devant la peste*, pp. 149–52 and 184–5; for Siena, Bowsky, 'Impact of the Black Death'; and for Pisa, Casini, 'Note sul potere di acquisto dei salari a Pisa'.

⁸⁵ The Republic of Venice elected a commission of five citizens (*cinque Savj*) on 13 June 1348 to extend 'loans, immunities, and privileges' to those who would come and live in Venice; see Brunetti, 'Venezia durante la peste', esp. p. 20.

⁸⁶ Albinì, *Guerra, fame, peste*, p. 20.

⁸⁷ Casini, 'Note sul potere di acquisto dei salari a Pisa', p. 230.

⁸⁸ Bowsky, 'Impact of the Black Death', p. 31.

⁸⁹ Brunetti, 'Venezia durante la peste'. See also Luzzati, 'Florence against the Jews', pp. 62–3.

⁹⁰ Albinì, *Guerra, fame, peste*, pp. 20–1.

⁹¹ ASF Provv. reg., 122, 4r–5r, 1431.iv.5. Reflecting the need for new housing and perhaps an increase of urban population, the Florentine councils passed a decree in 1420 to attract masons and carpenters from Lombardy or elsewhere to immigrate into the city or territory of Florence. The law granted them protection against any coercion to join the Florentine guild of masons and carpenters, but required them to pay the guild 1 *lira* 4 s. annually. Furthermore, unlike the legislation to attract agricultural labour, these masters were not offered tax exemptions (*ibid.*, 110, 103v–104r, 28.ix.1420). The councils passed a similar law in 1429 to attract silk workers to the city, offering security from paying their debts for three years, but again refrained from granting them tax incentives (*ibid.*, 120, 303r–305v, 1429.viii.23).

The earliest decree I have spotted in which the Florentine councils attempted to attract foreigners into the work force of one of its urban economies that was not specific to a particular trade pertained to Pisa (under Florentine dominion since 1406) and not to the urban economy of Florence: 'Desiring not only to conserve but to increase [the numbers] of the city of Pisa', a decree of 1413 granted exemptions first for 10 years, then in 1419 for 20 years, of all taxes and gabelles, except the gate tax and the ordinary gabelle, to any foreigner (except those then living in the *contado* or district of Florence) who chose to live with their families in the city of Pisa (*ibid.*, 101, 372r; and 109, 1419.xii.21; Petralia, 'Crisi', pp. 317–18; Mallett, 'Pisa and Florence', pp. 413–14; and Herlihy and Klapisch-Zuber, *Toscans et leurs familles*, p. 143. Furthermore, in 1416 the Florentine councils granted Catalan merchants freedom to trade and settle in Pisa with immunities from taxes for five years. Although the stated reasons were political ('to conserve the mutual friendship between Florence and the King of Aragon'), the stimulus to trade within the region is also evident (Provv. reg., 298v–301r, 1415.ii.4: 'Catalanorum mercatorum capitula'). The original statutes gave Catalans and all other subjects of the King of Aragon rights to trade freely and to settle in the city of Florence as well as Pisa. But the agreement's renewals do not include Florence. In 1419 the privileges were extended for another 10 years, and in 1430 for another 10 (Provv. reg., 109, 32r–v, 1419.v.24; and 120, 444r–v, 1429.i.19). Neither Mallett nor Petralia mention these laws. To assist further in the revitalization of the Pisan economy, the councils granted

plague labour policies, Florence was more protective of its citizens' monopolies and privileges than any other city-state or monarchy thus far studied, despite radical changes in the social composition and ideology of its political elites—from the magnate-merchant coalition that had governed from before the Black Death to June 1378, to the revolutionary artisan-based governments of the Ciompi and the Minor Guilds (1378–82), to the merchant reaction and elitism of the Albizzi and their reforms in 1393, which returned government control to the hands of Florence's wealthy families and magnates.⁹² The contrast was not only between Florence and other guild republics: a wide variety of legislative reactions can be seen in and between other Italian city states, which do not correspond to types of government, ideologies, or the social composition of ruling elites. Even before Siena's revolt of 1355 toppled the oligarchy of the merchant-bankers, called the Nine, and ushered into politics a wide-spectrum of artisans and workers, the city had already abandoned wage and price regulations for its city artisans and workers. Yet Orvieto and Pisa continued to re-enact and enforce these regulations into the fifteenth century, despite radical changes in their political regimes over this period.⁹³ Nor do any simple economic differences—such as areas concentrated on cloth production as opposed to those that were not—explain these widely divergent policies towards urban labour in the years following the Black Death.

IV

A comparison of city-states and monarchies north of the Alps suggests no European-wide underpinnings—demographic or economic—in labour and price legislation passed immediately after the Black Death through the fifteenth century, which readily explain a monarch's or city-state's favouring of one labour group against another. While the French and Spanish laws concentrated on urban labour and prices of commodities produced in cities, those in England and Florence focused on rural labour and for the most part on the lower rungs of that labour force. Perhaps more than economic rationale or demography, politics may have played a larger role in determining who might benefit or suffer from a government's particular

Catalan merchants in 1428 a licence to transport grain from the Pisan Maremma (*ibid.*, 119, 233v–34v, 1428.x.21). The same reluctance to solicit populations to immigrate within the city walls of Florence, who would compete with native artisans and merchants, can be seen in Florentine policy concerning Jewish moneylenders. Compared to other cities in central and northern Italy, Florence was late in allowing Jews to establish their banks in the city. When the oligarchy finally permitted Jews to settle and lend money within the city (1396), the maximum rates they were allowed to charge were so low that Jews refrained from moving there until 1437; see Luzzati, 'Florence against the Jews', pp. 62–3.

⁹² On the severity of the Florentine urban elite in its territorial control over its *contado* and district of previously independent city-states such as Pistoia, Arezzo, and Pisa, see Cohn, *Creating the Florentine state*; Epstein, 'Cities, regions and the late medieval crisis'; *idem*, 'Regional fairs'; *idem*, 'Market structures'; and Petralia, 'Fiscality, politics and dominion'.

⁹³ On Siena and Pisa, see Bowsky, 'Impact of the Black Death', p. 32; on Orvieto, Carpentier, *Ville devant la peste*, pp. 149–52.

vision of the rightful order of things and the 'just price'.⁹⁴ King John II's anti-Parisian policies contrast most sharply with those of the Florentine guild republic. No matter how harsh Florence's governing elites (*ottimati*) may have been in their efforts to reduce the power of lower guildsmen and artisans without guild representation (*sottoposti* or the *popolo minuto*), the Florentine councils of the *Popolo* and the *Comune*, where at least some lower guildsmen sat, appear to have influenced economic policy in the wake of the plague. These city councils granted protection to a large spectrum of the urban labouring and artisan classes at the expense of those who worked the land. Indeed, as revealed in notarial rental contracts and sales for Sesto, Campi, and other villages close to Florence's city walls, those possessing farms (*poderi*), strips of land, and other rural properties leased to villagers on short-term contracts were not confined to Florentine patricians or merchants but included numerous artisans and even some such as the doublet-maker, Pierus filius quondam Neri, who were disenfranchised workers in the wool and silk industries.⁹⁵ Moreover, Florence's about-face from laws '*contra laboratores*' to those '*in favorem comitatorum*' contrasts with England's steadfastness in its impositions against rural labour. In fact, new English labour laws in 1360–1, 1388, and 1406 increased its regulations with stiffer penalties on rural labourers and curtailed their social and geographic mobility with harsher controls.⁹⁶ In 1360 the commons passed tighter restrictions on the mobility of labourers, and in 1361 monetary fines were abolished and replaced with imprisonment and branding on the forehead with the letter 'F' for Falsity (although there is no evidence of its enforcement).⁹⁷ With the statute of Cambridge in 1388, no servants could depart a hundred without a letter of permission bearing the king's seal, and artificers and apprentices, who previously had been exempt from the ordinances, were ordered to labour at harvest time wherever needed.⁹⁸ Furthermore, migrant servants and labourers were forced to return to their home villages, 'to work at whatever occupation they had formerly undertaken'.⁹⁹ In 1390, Justices of the Peace were empowered to determine maximum wage rates at their discretion within their localities.¹⁰⁰ With legislation of 1406, parents were not even allowed to put their children into apprenticeship, or any other urban-based occupation, at any age, unless they could prove that they possessed 20 s. of land

⁹⁴ The common assumption is that authorities intervened with wage and price legislation after the Black Death to restore economic rationality, to avoid 'price and wage anarchy', and to ensure that lands continued to be cultivated; see for instance Torres Fontes, 'Ordenamiento de precios y salarios', esp. p. 285.

⁹⁵ See the rental contracts redacted by the Mazzetti family of notaries from 1348 to 1426; ASF, Notarile antecosimiano, M352–M360 (nos. 13521–13534).

⁹⁶ Braid, 'Et ultra non', pp. 462 and 466.

⁹⁷ Given-Wilson, 'Service, serfdom and English labour legislation', pp. 27–8; and Fryde, 'Peasant rebellion', pp. 759–60.

⁹⁸ Clark, 'Medieval labor law', p. 333; and Given-Wilson, 'Problem of labour', p. 89.

⁹⁹ Given-Wilson, 'Problem of labour', p. 88.

¹⁰⁰ Poos, 'Social context', p. 30.

or rent a year.¹⁰¹ Fryde argues that in the 30 years after the statute in 1351, the commons presented other petitions that demanded still sterner measures but were rejected by the royal government.¹⁰²

Politics might again help to explain this English-Florentine difference. This time, the geo-politics of an island monarchy must be contrasted with northern and central Italy's smaller competing city-states, where easy mobility from one territory to another over weakly defended mountain passes fed tax incentives for attracting limited supplies of agricultural labour. The Florentine *provvisoni* make clear that peasants along Florence's borders to the south with Siena and to the north with Bologna played one city-state off another. Peasants migrated from one to enjoy the exemptions offered by the other, and once these exemptions and privileges had run their course, the same peasants crossed borders again to benefit from new exemptions offered by their earlier homelands.

Yet it is difficult to explain why Aragon dropped its labour and price laws almost immediately, while Castile maintained them, or why Siena dropped its price controls on its artisans so rapidly, while those of Orvieto, Pisa, and Venice endured through the century or longer. Politics or the type of political regime cannot explain these differences, contrary to what Kovalevsky supposed.¹⁰³ He juxtaposed the price and wage policies of Florence and Perugia to those of Orvieto, Pisa, Siena, and Venice, arguing that the former were guild republics, while the later were aristocratic regimes. Such a distinction does not hold either in 1348 or afterwards. The opposite might just as well be argued. The Sieneese government of the Twelve (which came to power in 1355 and ruled with various permeations with the *popolo minuto* through much of the latter half of the fourteenth century) was much more broadly based than any Perugino or Florentine government (except possibly for Florence in the years 1378–82). Furthermore, the fall of the Nine in Siena did not usher in a radical shift in Siena's price and wage policies.¹⁰⁴ Nor did changes in price and wage policies coincide with radical shifts in Orvieto's political fortunes, either in 1350 with the anti-noble reactions to the Mondaleschi or with the revival of papal power under Cardinal Albornoz in March 1354.¹⁰⁵ Nor did changes in the social composition of the ruling councils in Pisa or Venice alter their labour legislation: both held on to their price and wage controls passed immediately after the plague through the latter half of the fourteenth and into the fifteenth century, even though Pisa, after a revolt in 1392, opened its ranks to artisans,¹⁰⁶ while Venice swung in

¹⁰¹ Given-Wilson, 'Problem of labour', p. 88.

¹⁰² Fryde, 'Peasant rebellion', p. 759.

¹⁰³ Kovalevsky, 'Wirtschaftlichen Folgen des schwarzen Todes'.

¹⁰⁴ Bowsky, 'Impact of the Black Death', p. 32. On Siena's Nine, see Bowsky, *Medieval Italian commune*; for the revolt of 1355 and its social consequences, see Cohn, *Popular protest*, pp. 90, 112–8; and *idem*, *Lust for liberty*, pp. 64, 87, 218, and 240.

¹⁰⁵ See Carpentier, *Ville devant la peste*, pp. 34 and 152.

¹⁰⁶ See Banti, *Iacopo d'Appiano*, pp. 71–2.

the opposite direction with its regime edging towards a hereditary oligarchy from 1380 to 1420.¹⁰⁷

On the other hand, the trajectory of laws and attitudes towards labour, both rural and urban, in Florence contrast sharply with those of Orvieto, Pisa, Siena, and Venice. Yet politics fail here to provide any key for unlocking the difference. First, the social composition of Florence's post-plague government controlled largely by merchants and magnates—the old families of the Guelf Party—did not differ significantly from the immediate post-plague oligarchies of the Monaldeschi in Orvieto, the Gambacorti in Pisa, or the Nine in Siena. Moreover, this elitist Florentine oligarchy remained in place until Salvestro de' Medici's reforms in June 1378, followed a month later by the still more radical reforms of the Ciompi revolt.¹⁰⁸ But, despite other revolutionary measures passed on so many fronts, neither Salvestro nor the Ciompi changed Florentine wage and price policies. As we have seen, the dramatic turnabout towards rural labour had already occurred at Florence in 1364 and its protectionist laws governing urban labour would not change until 1431. Similarly, the Sienese revolts of 1355 that ended the oligarchy rule of the Nine and which bestowed on Siena probably the widest representation of guildsmen and artisans of any city-state government in Italy over the long term, made no difference to its wage or price policies. Yet these two remarkably broad-based guild and artisan republics—that of Siena's Twelve allied with its *popolo minuto* and Florence's government of the Ciompi followed by that of the Minor Guilds (1378–82)—faced the problems of rising wages and prices with different, even opposing, means vis-à-vis their urban labourers and agricultural workers.

Florence's about-face in its attitudes towards rural labour with the second onslaught of plague cannot, moreover, be generalized as typical of changes in attitudes towards rural labour in other Italian city-states, despite similar demographic consequences across much of central and northern Italy. As we have seen, Siena and Orvieto never imposed such harsh penalties on their rural labourers; from the outset they softened the blow of anti-emigration and anti-*mezzadria* laws (*contra mezzaiolos* as they were called in Siena) with ones 'in favorem comitatorum', granting tax concessions to their peasants. Yet Republican Florence was not alone in its fierce vagrancy laws and emigration controls directed against its peasantry; nor were these laws particular to guild republics, where artisans sat on legislative councils. In Ducal Milan such laws against their peasantry continued to be promulgated well into the fifteenth century.¹⁰⁹

¹⁰⁷ See Chojnacki, *Women and men*, pp. 7 and 235.

¹⁰⁸ On the rapid recovery of the Florence patriciate after the fall of Walter of Brienne, see Brucker, *Florentine politics and society*, p. 116. Although Waley, *Mediaeval Orvieto*, epilogue, characterized the post-plague government of Orvieto as a 'tyranny', it still possessed the guild-based councils of its seven principal professions; see Carpentier, *Ville devant la peste*, pp. 34–6.

¹⁰⁹ Albini, *Guerra, fame, peste*, p. 24.

V

In conclusion, the monarchies and municipalities studied above show a great variety of legal responses to perceived labour shortages and soaring prices after the Black Death: some concentrated on controlling commodity prices and artisan wages, others, the mobility of agricultural labourers and their wages; some appeared experimental and short-lived, others developed increasingly more rigorous laws; still others changed their course mid-stream. Later studies may create larger datasets of these laws from a greater number of monarchies and city-states; with larger numbers, new models may emerge to align class interests with particular policies or to present other social and economic variables to explain the underlying patterns beneath the great diversity and seeming contradictory character of the labour and price laws plotted above.¹¹⁰ For now, however, no demographic or economic model—shifts in the price scissors of agricultural and industrial prices, changes in the supply and demand of labour, monetary policy,¹¹¹ economies dominated by ascending or declining industries (such as woollen cloth making in Florence), or any structural shifts from cheap to luxury manufacturing¹¹²—explains this legislative variety. As with monarchic governments, so with city-states, both republican and aristocratic, notions of the ‘just price’ could be diametrically opposed from one place to another, pitching the privileges of city workers and artisans against those of the countryside (as in Florence or England) or vice versa (as in France, Aragon, and Castile). In Florence, the divide between city and countryside could be as great, if not greater, than divisions that separated social classes. Furthermore, as the case of Florence shows, politics and war could ultimately be more crucial than economic concerns of landlords or shopkeepers in shaping a state’s labour policies. Yet no simple political argument, type of political regime, or composition of the ruling elites predicts whether artisans or peasants would be the ones most onerously controlled or protected by these laws.

Nonetheless, with few exceptions and seemingly independent of one another, the plague spurred governments across Europe suddenly to see a need to regulate wages and fix prices with a zeal, territorial scale, and meticulousness missing from any state’s legislation before 1348. Earlier attempts such as the ordinance of Valois Philip VI in 1331 were much less

¹¹⁰ For instance, Professor Franca Leverotti has told me that the councils of Lucca passed numerous labour laws through the second half of the fourteenth and early fifteenth centuries; the analysis of this material remains unpublished.

¹¹¹ For differences in monetary policy, money supply, and debasements, especially between England and the Low Countries, see Munro, ‘Medieval woollens’, p. 248; *idem*, ‘Wage-stickiness’, pp. 213–16; *idem*, ‘Medieval origins’; and Werveke, ‘Currency manipulation’.

¹¹² On the decline and changes in wool production in Florence during the fourteenth and fifteenth centuries, see Hoshino, *L’Arte della Lana*; Franceschi, *Oltre il ‘Tumulto’*; and Munro, ‘Medieval woollens’, pp. 262–6; for England, the Low Countries, Catalonia, and elsewhere in Italy, see Munro, ‘Medieval woollens’.

detailed, strenuous, or successful, or they were regional and ‘without any durable effect’ as with a law of the Cortes of Seville of 1252, which failed immediately, as with another passed for Jerez in 1268,¹¹³ or they were even more highly localized and particular as with guild statutes or manorial by-laws and customs that in England date back to the thirteenth century.¹¹⁴

Like chroniclers such as Henry Knighton and Matteo Villani and other social and literary commentators such as William Langland and Giovanni Boccaccio, ruling elites across Europe saw the Black Death abruptly posing new threats to social mores and the political and economic structures of the pre-plague era. The supposed ‘greed’ of workers and artisans was one such threat that elites feared. Suddenly, they saw themselves aggrieved not only by ‘the unreasonable wages [*salaries desraisonnables*]’ labourers demanded, but also by what these elites perceived as labourers’ new habits, working ‘whenever it pleased them and spending the rest of their time in taverns playing games and enjoying themselves’ as the French royal labour law of 1354 put it. Furthermore, as with opinions expressed in contemporary works of literature, these new laws reflect elites’ further anxieties about class. Like elite lay and ecclesiastical writers, the laws alleged that labourers now ‘demanded quality wines and meats beyond their station’.¹¹⁵ For these elites the world had suddenly been turned upside down: to quote a Florentine decree of 9 October 1348: ‘while many citizens had suddenly become the poor, the poor had become rich’.¹¹⁶ The Florentine chronicler Stefani said much the same.¹¹⁷ The same anxieties continued to be aired in sumptuary laws passed in Florence in 1349 and in England after its second bout of plague in 1363. Both targeted servants and workers, regulating their cloth-

¹¹³ Torres Fontes, ‘Ordenamineto de precios y salarios’, p. 282.

¹¹⁴ For the French legislation in 1331, see Braid, ‘Et non ultra’, p. 450; and Geremek, *Salariat*, p. 132. In late thirteenth- and fourteenth-century England, manorial by-laws set rates for employment, but principally at harvest time and only within single villages or manors; see Dyer, ‘Work ethics’, pp. 32–3; and Ault, *Open-field farming*. In a savage assault on Palmer, *English law*, Musson, ‘New labour laws?’, argues that ‘neither the essentials of the labour legislation, nor the judicial remedies were in fact new’ (p. 74), but the episodic and local laws seen in village by-laws or promulgated by city governments to regulate certain guilds can hardly compare in duration, geographical scope, or enforcement with the national legislation of 1349 and 1351. Furthermore, as Given-Wilson, ‘Service, serfdom and English labour legislation’, p. 25, argues, before the Black Death, wage rates had been determined by custom; with the statute of 1351, a specific table of wage-rates was introduced for the first time, ‘applicable on a national scale, for all kinds of workers’ (p. 25). These efforts were repeated with refinements until 1390, when powers to set rates were handed over to local Justices of the Peace, but in 1446 and 1495, national rates were established again. Lastly, Musson (as with other scholars of the English labour laws) fails to reflect on the scale of these labour laws across large tracts of Europe, which the Black Death triggered between several months and two years of its onslaught. As Epstein, ‘Theory and practice’, pp. 66 and 68, concludes: ‘This new factor [the Black Death] prompted across Europe a new phenomenon—efforts to set wages for whole kingdoms’. He contrasts these laws with the make-shift attempts of guilds, such as the building trades of thirteenth-century England, to fix wages.

¹¹⁵ See the French royal law of 1354; Laurière, ed., *Ordonnances des roys de France*, II, p. 564.

¹¹⁶ ASF, Provv. reg., 37, f. 67, cited in Falsini, ‘Firenze dopo il 1348’, p. 449.

¹¹⁷ Cited by Falsini, ‘Firenze dopo il 1348’, p. 449.

ing, jewellery, and other expenditures deemed beyond their station by ruling classes.¹¹⁸

For the most part, historians—even those who have been sympathetic to the fate of labour in the later middle ages¹¹⁹—have taken these descriptions at face value. But, as Munro has recently shown for England and the Low Countries and against the assertions of Putnam and those who have followed her lead, workers and artisans were not cruelly using their new-found labour scarcity to make ‘exorbitant’ demands against now hapless employers and landlords.¹²⁰ Instead, workers in many cities and the countryside were suffering a reduction in real wages, or, at best, making only modest gains against soaring prices and governmental monetary manipulations that ate into their wages from the Black Death to as late as the 1380s or longer. In England, those who fared the best in the first two decades after the plague were not labourers but the presumed victims of the new demographics—noble landowners—who according to Hilton gained relative to other social groups through ‘a general seigneurial reaction’.¹²¹

Instead of flowing logically from new post-plague demographics and economics—the realities of the supply and demand for labour¹²²—the new municipal and royal efforts to control labour and artisans’ prices are better understood in the contexts of fear and anxiety that sprung forth from the Black Death’s new horrors of mass mortality and destruction, resulting in social behaviour such as the flagellant movement and the persecution of Jews, Catalans, and beggars.¹²³ A great variety of post-plague labour and price laws suddenly shot across wide swathes of Europe, but they splintered in a multitude of directions that to date defies any obvious patterns of economic or political rationality. In yet another sphere of human endeavour—

¹¹⁸ For England, see Dyer, ‘Work ethics’; for Florence, Falsini, ‘Firenze dopo il 1348’, pp. 486–7.

¹¹⁹ See for instance, Geremek, *Salariat*, p. 122.

¹²⁰ Munro, ‘Wage-stickiness’. Similarly, Farmer, ‘Prices and wages’, pp. 471–5, has shown that even nominal wages remained sluggish from the Black Death to the 1370s for many farm labourers on English manors. Others who have calculated a rise in real wages from the Black Death to around 1375 (such as Tognetti) have seen them as inferior to rises that occurred later during the fifteenth century, and others such as Slichter van Bath and Abel have found that real wages generally fell across Europe until 1375; for this literature, see Tognetti, ‘Prezzi e salari’, p. 276. For Pisa, Casini, ‘Note sul potere di acquisto dei salari a Pisa’, pp. 236 and 242, has calculated a rise in real wages for most workers, but they were modest; further, the salaries of public workers in Pisa fell. Earlier, historians such as Rodolico, *I Ciompi*, p. 53, and Falsini, ‘Firenze dopo il 1348’, pp. 468 and 485, placed the outrage of merchant chroniclers such as Matteo Villani, who railed against labourers’ supposed extortionate demands, within a class perspective. These historians estimated that prices outstripped wages in the years immediately following the plague, even if eventually (as early as the 1360s) the rise of wages surpassed prices of commodities.

¹²¹ While population may have fallen by as much as 50% in many areas of England, total noble income from their estates shrank by only 10% from the 1340s to 1370; see Holmes, *Estates of the higher nobility*, pp. 114–5; and Hilton, *Decline of serfdom*, pp. 36 and 40.

¹²² As most historians presently assume and some express explicitly; see for example above, notes 18, 22, 44, and 47.

¹²³ See Cohn, *Lust for liberty*, pp. 214–7.

that of law and attitudes toward labour—the Black Death stamped its mark across Europe.¹²⁴

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¹²⁴ I make this argument also from the concurrence of popular revolt mounting in the north and south of Europe with no communication between these distant rebels or even between various regions of Italy. By contrast, before 1348 the rhythms of revolt north and south of the Alps developed along different tracks; see *ibid.*, ch. 9. Also, see Binion, ‘Europe’s culture of death’, pp. 119–20. Moreover, Hay, *Europe*, unwittingly illustrates the same: even though he never mentions the Black Death, his examples show that the crucial moment of a new idea of Europe emerged during the second half of the fourteenth century.

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