

Munsche, P.B. *Gentlemen and Poachers: The English Game Laws, 1671-1831*. Cambridge: Cambridge University Press, 1981. Pp. x, 255. Index, bibliography, notes, appendices, pictures. \$37.50.

Peter Munsche has produced an excellent study of the English Game Laws during a critical 150-year period. To sport historians not involved in English history, this may seem a small matter; it is not. His scholarly study reflects an England going through far-reaching social and economic changes. The country gentry had been a dominant class across a largely rural nation, calm in its sway over field, farm and village. The upheaval of the Civil War did not go away with the restoration of the crown in 1660. Though Charles II and monarchy had returned, the gentry were thereafter most suspicious of their lower-class countrymen.

As Munsche shows, the Game Laws were used as an instrument to try to stem the tide of social and political change; it was ultimately unsuccessful. The Game Laws dictated who could and could not hunt certain carefully-defined categories of game. Its outward purpose was to reserve those hunting rights for the gentry. On another level it was used to reassert the gentry's

claims to social and political superiority, for they also were given the right to enforce the laws they had passed to benefit themselves. The laws have been described as unusually harsh and repressive, with abusive trial proceedings and cruel punishment. Munsche has come along to set the record straight, though this does not mean a reversal of the earlier judgments.

In a very scholarly study, based on wide-ranging evidence which is carefully laid out, Munsche has shown that while the potential for abuse by the Game Laws was present, their enforcement was not nearly so harsh as believed. He notes that while the gentry, as Justices of the Peace, could try cases affecting their own property, most judgments were relatively mild, resulting in fines that few poachers were unable to pay. The cases of abusive trial and sentence were not common. While the possible penalties were harsh, the law of the time had far harsher penalties for other crimes of a lesser nature. Sometimes we forget to judge in terms of the times, rather than comparing to the norms of today.

Munsche points out that the gentry did feel pressure not to be too harsh in their judgments, for they were judging their neighbors and, like the modern politician, there were limits to how far they could go without losing their local support and influence. The gentry were largely fighting for the preservation of a way of life, for the superiority of the country over the city, the gentleman over the merchant, land over money. It was a battle doomed from the start. Only holders of wealth in the form of land enjoyed the hunting rights; money alone was insufficient, the last unsubtle slap of the old ruling class at the incoming one.

Munsche has done an excellent job of examining and illuminating many of the social factors which produced or were affected by the Game Laws. He shows the economic factors at work in changes in the distribution of wealth and growing urbanization. He studies the development of the laws, their enforcement, the opposition to them, and their ultimate reform. Though some of his points are at times a bit repetitious, it is on the whole a well-done study of greater import than one might at first think, for it serves to fill out our picture of England in its changing social relationships, with the changing fortunes of different groups within the social classes.

This work also illustrates a problem for the scholar, as Munsche notes on the lack of research on the Game Laws that “historians have not exactly jumped at this opportunity” (p. 2) despite the large body of material available. It is another example of the problem of research concentrating on “significant, main-line” areas, those of high prestige and high visibility. Sport has not been that accepted as a legitimate area even as social history has become very popular.

The discussion of poaching is quite interesting, recalling instances of poaching in *Tom Jones* and American versions in *Chesapeake*. Squire Western sleeping with his dogs gave an evocative view of the time and the class. The development of mass kills after better guns came into use has been illustrated in Brian Garfield’s novel *Wild Times*, showing the development of the

shooting matches and professional shooters of late 19th-century America. Historians and others interested in hunting and game control or preservation will find much of interest in Munsche's work.

We look to class-conscious England for the development of the oft-criticized code of amateurism and, startingly, we find hints of its impetus in this study of the Game Laws. Speaking of the fight against poachers by the gentry, Munsche points out that "poacher", in fact, was not a legal term at all. Rather, it was an epithet applied to those who violated certain established conventions of sporting . . . in the minds of eighteenth-century gentlemen there was no doubt that a poacher was a distinct and easily recognizable type of person" (p. 52). In this statement we can see elements of the class approach to sport today, which can be simulated by substituting "professional" for "poacher" and "the IOC" for "eighteenth-century gentlemen."

In fact, Munsche shows that the gentry generally had little objection to some poaching by local people. Records show numerous cases of squires taking lesser locals hunting with them. A poacher was not really someone who stole game for food or love of hunting; a poacher was one who stole game in an unsporting manner (at night, when the animals were less ready to defend themselves) and purely for monetary profit. The true definition of a professional athlete today is not that he or she profits, but that their primary object is the profit. It is this that the IOC finds unbearable, for the result is a previously-controlled class becoming self-sufficient, thus less open to outside control, just as with the poachers. Shades of the eighteenth century squires!

For the historian of English sport or simply English society, this is a little gem, for it probes into previously murky corners and expands considerably our understanding of changes in English country society. Munsche has done much to simplify a very complex aspect of English history.

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