

Unwed Mothers in Medieval England

Discussions of the legal rights and disabilities of illegitimate children abound in the historical records of medieval Europe. Reference to their mothers, on the other hand, is scarce, making it difficult to recover their experiences, and the attitudes of their communities towards them. Consequently, the mothers of illegitimate children have been largely overlooked by medievalists. This article attempts to recover the experiences of, and attitudes towards, the mothers of illegitimate children in Medieval England. Drawing upon evidence from the records of English civil and ecclesiastical courts, diocesan and archidiaconal visitations, and diocesan synods, it argues that there was considerable flexibility regarding the definition of, and attitudes towards, the mothers of illegitimate children in medieval England.

I have a confession to make. The claim of any historian to uncover the experiences of, and attitudes towards, any group from the past is at best hyperbole. When it is a group of women, and medieval women at that, the claim and the information is bound to be full of gaps. Nevertheless, that doesn't keep us from trying to recover women's lives from the past. In order to do so, we not only read between the lines of the records left behind, but we also read the silences in those records. That is what I am doing here, reading between the lines of the historical records and the silences in those records in order to recover the experiences of unwed mothers in medieval, or pre-Reformation, England, and the attitudes of their communities towards them.

Because of the silences regarding unwed mothers in medieval English records, medievalists have tended to focus upon the legal rights and disabilities of their children, who are much more visible in the records (e.g. Sheehan, "Illegitimacy"). For example, William the Conqueror, "the Bastard King," is a well-known

historical figure, yet all we know about his mother is her name—Herleva. The mother of John of Gloucester, illegitimate son of Richard III, is reputed to be Katherine Haute; and the mother of Sir Roland de Velville, illegitimate son of Henry VII, is known only as “a Breton Lady.” Even the unremarkable children of unwed mothers are much more visible in the historical record than their mothers, because in the eleventh century the Roman Catholic Church declared a doctrine defining illegitimacy in conjunction with its attempts to disentangle the clergy from the laity in order to subordinate the laity to the clergy. Central to this agenda was establishing clerical celibacy as the norm. This was vital because clerical marriage perpetuated feudal relationships, enmeshing clerics in family alliances and allegiances, leaving the Church vulnerable to lay influence and control. It also led to the alienation of church property through the inheritance rights of clerics’ children, and the dower rights of their widows. Once illegitimacy was defined, disputes over the rights and disabilities of illegitimate children made their way into the court records available to us today.

Intertwined with the effort to proscribe clerical marriages was the redefinition of marriage from a legal contract between families sealed by the act of sexual consummation, to a sacrament binding the two individuals together through an act of consent. In order for a child to be legitimate, according to the Church, it had to be born of a couple who were free to marry and had established the bond in a proper manner, that is, publicly and formally, so that it was clear that consent was freely given (see Sheehan, “Illegitimacy” 15; Schimmelpfennig 26, 45). This excluded children born to clerics.

That definition of legitimacy seems clear enough, doesn’t it? However, life is never as simple or clear cut as doctrinal pronouncements and legal documents would have us believe. In fact, there was potential for confusion built right into that sacramental model of marriage. Because it was based on the free consent of the two individuals involved, it was possible to contract a valid marriage clandestinely, that is, without witnesses or clerical mediation. All that was necessary was that the man and woman state that they take each other as husband and wife, and exchange a ring or other gift. You can imagine the confusion and conflicts that resulted from those clandestine marriages. The church court records are full of cases in which a woman attempts to enforce a clandestine marriage contract, protesting that she and her partner had had intercourse after vowing to be true to one another; while he claims it was just casual sex. The absence of witnesses made both parties vulnerable to false claims by the other. However it seems that women were usually the ones who fell victim to them. So much so, that at the beginning of the thirteenth century, the bishop of Salisbury issued a statute warning men against weaving straw rings on young women’s hands so that they could “fornicate more freely with them” (Powicke & Cheney 1:87).

Contradictions between civil and canon law also contributed to diverse understandings of what constituted illegitimacy. Most notable of these is their treatment of children born out of wedlock whose parents subsequently married. In the eyes of the Church, a child born before the marriage of her or his parents became legitimate when they married, provided that the parents were free to marry when the child was conceived. Such children were called “mantle children” because they were placed under the mantle which was spread over their parents at their wedding ceremony. The civil courts, on the other hand, refused to recognize such children as legitimate heirs to property even after their parents married (see Luard Ep. 23).

Complicating the picture further is the fact that “it was public opinion and especially the opinion of the local community, the neighbors, which decided whether any particular association could be called a marriage, and not only the church and the law” (Laslett 109). And public opinion varied from place to place and over time. Although the Church introduced its sacramental model of marriage in the eleventh and twelfth centuries, even into the fifteenth century, children the Church may have defined as illegitimate may not have been deemed so by the members of their local community, and vice versa (see Helmholz, *Marriage Litigation* 5; and Sheehan “Formation of Marriage” 263).

Given that the definition of, and attitudes towards, illegitimate children were as complicated as they were, the attitudes towards their mothers were no doubt equally complex. One of the richest sources of information regarding the mothers of illegitimate children is church court records, for the Church held jurisdiction over sexual offences, which were considered moral crimes. English church court records suggest that the mothers of illegitimate children were not held solely responsible for their condition. Richard Helmholz has documented that throughout England when the father of an illegitimate child was known, the church courts “routinely imposed the burden of support on the putative father” (“Support Orders” 438-9). Not only that, but the father could also be required to support the mother during her pregnancy, and provide her with a dowry. If the father could not be found or held accountable, sometimes the family was called upon to support an illegitimate child. In Norwich diocese in 1499, for example, John Pynnes of East Dereham, who had impregnated his servant Agnes Redwell, was instructed to support Agnes until she had recovered from childbirth (see LPL Morton vol. 2, fol. 76v). After that, he was to provide her with a dowry of 40 shillings (s), and to pay ongoing child support.

Agnes, for her part, was assigned a public penance. She was to walk in front of the Sunday procession around her parish church with a lit candle in her hand, which she was then to offer to the priest at the offertory of the mass. (Church offerings were often paid in the form of wax.) John was also

required to perform public penance and to pay 5s to both his parish church and the cathedral. Another woman, Beatrice Sharpe, whose partner John West didn't show up for their hearing in Durham in 1435, was assigned a penance of walking around St. Oswald's Church three times while being flagellated, for three Sundays in a row (Raine 26-7). Such public penances were usually performed barefoot while wearing only one's underwear. They were a common occurrence in medieval England (see Hill 213-26). Since the concern of the ecclesiastical courts was the moral life of the community, the penances they enjoined were considered to be expressions of moral repentance rather than punishments (see Hill 215; Hair, *Bawdy Court* 20). Nevertheless, there is no doubt that they also served to publicly shame the parents of an illegitimate child (see Coster 384-5).

For unwed mothers, there was also another occasion during which they were forced to account for their actions publicly. In the towns and villages of pre-Reformation England, it was customary for a new mother to kneel at the door of the local church to receive a blessing approximately thirty days after having given birth. It was known in that day as "purification;" today it is more commonly referred to as "churching." After being welcomed into the church, the new mother, usually accompanied by her women friends, processed to a special pew, was first to take her offering to the altar, and knelt at the altar for a blessing at the end of mass. While this would have been an enjoyable celebration for a duly married woman, it must have been an ordeal for an unwed mother. Church court records tell us that some unwed mothers tried to avoid it. Johanna Talbot was brought before the commissary court of London in 1451 for having left her parish without having been churched after giving birth to a child out of wedlock (Hale 10, #41). She most likely wanted to avoid the kind of humiliation one unnamed woman experienced when she did present herself for churching. When she knelt at the door of her parish church in London, her pastor, rather than welcoming her into the church as was the custom, blew out the candle she held. During the mass that followed, as he was washing his hands, the priest further expressed his disdain, exclaiming in English for all to hear: "it is a fair joy that we must tend to you for a candle, a penny and a cloth [the customary offerings]" (transcribed in Wunderli 151). Can you imagine how distressing that must have been!

Nevertheless, it appears that there was a more complex dynamic at work in these rituals of public penance than the desire to shame the parents of illegitimate children. Ralph Houlbrooke suggests that they also might have "served to resolve tensions and perhaps to save individuals from the consequences of a more informal popular judgment" (46; see also Wrightson & Levine 111). We all know how far-reaching and long-lasting gossip, a bad reputation, and ill-will among our neighbors can be. Such public acknowledgement of their

moral transgression, and public repentance of it, may have provided the parents of an illegitimate child an opportunity to repair their relationships with their neighbors. They may have served as venues in which to resolve the tensions, quarrels and disrepute occasioned by the disordered sexual relationship resulting in the birth of an illegitimate child, allowing them to resume their lives within their local community/ies relatively unscathed.

Not all unwed mothers were so fortunate however. While improper sexual relationships were moral crimes in the eyes of the church hierarchy, it was most likely concern over the support of the illegitimate children they produced that prompted members of the local community to report such liaisons to the medieval church courts. Despite the attempts of the church courts to have the father or family members support the unwed mother and her child, it was not always forthcoming. The fathers often went missing, and other family members did not necessarily admit to, or meet, such responsibilities, leaving those mothers who could not fend for themselves and their children dependent upon their local communities (see Sheehan, "Illegitimacy" 118; Hanawalt 251). Throughout the Middle Ages, community support of the poor and indigent was carried out by parishes, monastic institutions, guilds, and municipalities (see Tierney 44-97; Bennett, "Conviviality" 19-41). For example, the statutes of the Corpus Christi Guild in Saffron Walden, Essex, stipulate that poor strangers were to be buried at the guild's expense, and poor pregnant women coming to the town were to be given a chrisom, that is, the cloth wrapped around a new-born at baptism, and a penny to offer at their churching (PRO MS C 47/39/59). Some of those women were most likely unmarried mothers seeking anonymity in a new town.

While the mothers of illegitimate children may not have been held solely responsible for their condition, those who became a financial burden to the community were bound to be regarded with disapproval. Judith Bennett argues that, in fact, economic status was central to medieval English attitudes towards the mothers of illegitimate children. According to Bennett ("Writing Fornication" 153), even though the Church didn't hold the mothers of illegitimate children solely to blame, medieval villagers did. In their eyes, fornication, that is sex outside of marriage, was a female offence, and further, it was an offence of the female poor. Her evidence comes from the records of *leyrwite*, a fine for fornication levied by the manorial courts; these were secular courts presided over by the lord of the manor. Those records demonstrate that there were many more instances of fornication reported to the church courts than to the manorial courts (136-7). Of the persons reported to the manorial courts, only a handful were men (139), and a disproportionately large number were poor women: female servants, female wage-laborers, female cottagers and landless young women (143).

Even then, not all who were presented for *leyrwite* suffered permanent stigma. Bennett notes that more than one in four women fined for fornication or illegitimate birth subsequently married. However others were less fortunate, and seem to have been trapped into a cycle of sexual exploitation born of poverty. Bennett found evidence of women who were fined for two or more illegitimate pregnancies, sisters from the same family paying *leyrwite* fines, and family clusters of aunts, mothers and daughters being fined repeatedly for bearing illegitimate children (155). Already poor, some almsgiving institutions saw fit to exclude such mothers from their lists of the worthy poor because it was thought that giving charity to sinners only encouraged them in their sin. Also, at least one community, Horsham, banished four poor unwed mothers and their six children from their community in the 1280s. As Bennett puts it, “Impoverished unwed mothers and their children stretched community goodwill to breaking point, in part because their poverty was tainted by sin” (154-5).

Economic pressures on the local communities also played a role in how unwed mothers were treated. *Leyrwite* fines were in use from the mid-thirteenth century to the late fourteenth century. During that time the population of England fluctuated from severe overpopulation in the late thirteenth century to serious under-population after the Great Plague of 1348-9 (Bennett, “Writing Fornication” 134, 152-3). Unwed mothers were most likely to be identified and fined when land and resources were scarce. During those times, the fines were also significantly higher than the fines for other offences (155). Moreover, some communities supplemented the fines by seizing the landholdings of such women or expelling them from their land (152). In times of overpopulation, unwed mothers and their children were considered an unwelcome and unnecessary drain on scarce community resources. Conversely, after the Plague decimated the population, and land and resources were plentiful, unwed mothers ceased to be identified and fined. Their children were most likely considered welcome additions to the labor force.

Related to those economic considerations, geographic location also seems to have been a determining factor in the attitudes towards unwed mothers. No doubt those attitudes varied from community to community. However, an argument can be made for differences between rural and urban communities. *Leyrwite* was imposed by rural courts. It has been noted by Bennett and others that there were many more charges for fornication recorded in the church court records than in the manorial court records. Bennett concludes from this that far fewer cases of fornication and illegitimate births were reported in the rural courts than actually existed.

There are differing opinions as to why this was the case. Barbara Hanawalt suggests that “the stigma of an illegitimate birth for either the mother or the

child need not have been very strong in peasant society” (*Ties that Bound* 196, 103, 156) because “a premarital pregnancy was a prelude to marriage and conception may, indeed, have been necessary for the marriage to take place” because “children were so important to the [rural] economy that a couple wanted to be sure of fertility before entering into marriage” (see also Hair, “Bridal Pregnancy” and “Bridal Pregnancy Further Examined”).

Richard Adair and Judith Bennett suggest that it has to do with marriage customs. “For medieval peasants, marriage-making was a process, a sometimes lengthy process that blurred the line between marriage and co-habitation, and that if derailed, could render legitimate sexual intercourse illegitimate” (Bennett, “Writing Fornication” 145; Adair 129-48). Between the betrothal and the church ceremony, it was acceptable for couples to live in the same house. It was also considered acceptable for couples to live together while the terms of a marriage were being arranged. When a marriage was looming, family and society alike condoned a marked relaxation of the usually tight norms governing sexual relations. (Adair 168-70) Further, the clerical sanction of clandestine marriage coincided with the “secular custom of trothplight, whereby a couple exchanged vows before friends and family, and could thereby be considered married, even without formal sanctification in church” (Bennett, “Writing Fornication” 145).

The financial accounts of two Yorkshire parishes seem to support the acceptability of pregnancy prior to the formality of the church wedding in the medieval English countryside. Those accounts disclose that it was not uncommon for a woman to be churched on her wedding day, that is, to receive the blessing after childbirth at the end of the wedding mass (see BL add. 32957; PRO E 101/514/32 fols 25v-28v, 34r-36r).

Another contributing factor to the acceptance of premarital pregnancies may be that rural populations were relatively stable, limiting the available sexual partners and consequently allowing an illegitimate sexual relationship to develop into a legitimate one. Urban populations were much less stable. Because unmarried pregnant women and mothers made their way more frequently into the London church court records than into the manorial court rolls, Barbara Hanawalt concludes that “a stigma was more readily attached to women who had premarital sex and bore children out of wedlock” in urban communities (*Growing Up* 59). This conclusion is supported by the condition under which Sir Richard Whittington endowed an eight-bed ward for unwed mothers in St. Thomas Hospital in London in 1451. He stipulated that the identities of the women harbored there be kept secret, because knowledge of the circumstances surrounding the birth of their children would cause them shame, and perhaps prevent their eventual marriage (see Gairdner ix). Urban populations were filled with young women and men who’d come to the city

to take up service positions or apprenticeships. The anonymity accorded by the transient nature of the population, the absence of parental and neighborly supervision, and exploitation by unscrupulous masters and mistresses were much more conducive to sexual relationships and pregnancies that would never be normalized, ruining a woman's reputation and consequently leading to poverty.

Last but not least, gender stereotypes and roles also played a role in medieval attitudes towards unwed mothers. Ruth Mazo Karras suggests that the standards of morality that were enshrined in church law and upheld by the church courts, at least as they pertained to women's sexual behavior, were accepted by, and imposed from within medieval communities as well as from without. In fact, she asserts that "the laity accepted the church's standards of behavior for women far more readily than it did for men" (Karras 131). Karras finds evidence of this double standard in late medieval moral treatises, which, she argues, addressed men's behavior because "people had to be convinced that these things were wrong for men to do; they did not have to be convinced that they were wrong for women" (131). Church court records, especially defamation, or slander, cases, illustrate her point. Karras notes that "women were defamed of sexual offences far more often than men" (132). This suggests, "the ecclesiastical view—chastity outside of marriage, without exception—fitted with popular notions of what women should be like (although not necessarily notions of what women were like)" (132). From this she concludes: "When women did not adhere to that model it was not only the church but also the community at large that called them to task for it" (132).

So, what can we know about the experiences of medieval English unwed mothers?

The lot of an unwed mother in medieval England could be desperate indeed. Her sexual transgression could lead to the loss of her reputation, resulting in un-marriageability, which, in turn, could lead to poverty, marginalization, and sexual exploitation. But that wasn't the only possible outcome. In fact, it wasn't even the most likely outcome. The ambiguous nature of marriage, given the practice of clandestine marriages, and the fact that marriage was a process rather than a one-time event, combined with the fluid understanding of illegitimacy, most likely protected many women from being labeled mothers of illegitimate children, or at least reduced the stigma attached to the label. Socio-economic status, geographic location and the local economy also played a role in determining the parameters of sexual impropriety in pre-Reformation England. The intersection of all of those factors would have shaped the experiences of an unwed mother, and the attitudes of her local community members towards her.

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