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The Importance of Being Related: How the Nuclear Family Functioned Within the Urban Environment of Medieval Norwich 1250-1348

Anne Grant, *Clemson University*

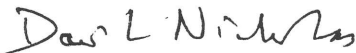


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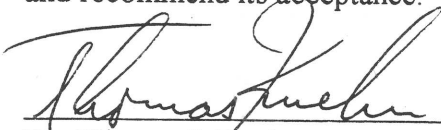
To the Graduate School:

This thesis entitled "The Importance of Being Related: How the Nuclear Family Functioned within the Urban Environment of Medieval Norwich 1250-1348" and written by Anne McMahan is presented to the Graduate School of Clemson University. I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts in History.

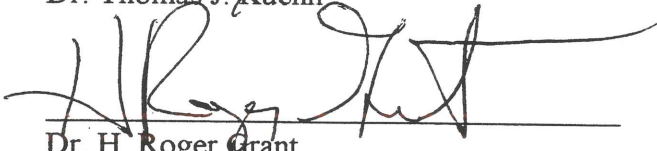


Dr. David Nicholas, Thesis Advisor

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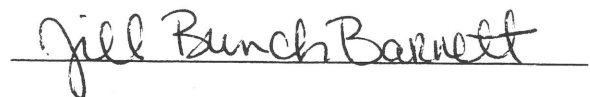


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Accepted for the Graduate School:



THE IMPORTANCE OF BEING RELATED: HOW THE
NUCLEAR FAMILY FUNCTIONED WITHIN THE
URBAN ENVIRONMENT OF MEDIEVAL
NORWICH 1250-1348

A Thesis
presented to
the Graduate School of
Clemson University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts in History

by
Anne McMahan

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Advisor: Dr. David Nicholas

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ABSTRACT

Did medieval families function on a nuclear or an extended level? This thesis will show that the families in urban Norwich, England in the Middle Ages worked, loved and played within strong nuclear families instead of floundering in a sea of extended relatives and neighbors. Using two books of deeds from the city of Norwich as well as the police records and other assorted information from the city, this paper will prove that nuclear family relationships, with their economic and social bonds, were of primary importance to the functionality of the conjugal family and that much less focus was centered on the outside community and the network of extended kin. The first chapter will look at the city of Norwich and introduce the sources and the topic. The second chapter will examine the husband/wife relationship and how it contributed to the strength of the nuclear family and its concentration of the success of its primary members. The third chapter looks at the bonds that existed between parents and their children and between siblings. The fourth chapter proves that widows sought either to remain independent from these medieval families out of a desire to retain their property, or they remarried and joined another family, which strengthened the conjugal family bonds by defining more distinctly the members of the core family as opposed to those who were considered outsiders. The fifth chapter shows how the nuclear family interacted with its network of relatives, both by blood and by marriage, as well as the outside community of neighbors and fellow citizens. The final chapter summarizes the argument that the conjugal relations between husbands and wives and parents and children were of primary importance in medieval Norwich and that these relationships were more important than those of the extended family and outside community. This is the first time that these records have been used to prove the close nuclear family ties that existed in one particular

urban environment, and this thesis provides a valuable look at specific examples of functional and active medieval conjugal families.

DEDICATION

This is for my parents, who have supported me with patience and love. This is for Mamoo, who trusted me to know what I was doing. This thesis is also dedicated to my brother, Will, and my other friends who have kept me sane and made me laugh, which gave me the drive that I needed to successfully complete my graduate career. Without my own nuclear and “extended” family, I would not be the person that I am today.

ACKNOWLEDGMENTS

Dr. Nicholas, Dr. Kuehn and Dr. Grant need to be recognized and thanked for all of their combined intelligence and patience.

CHAPTER I

INTRODUCTION

What did it mean to be a part of a medieval urban family? This thesis will argue that the family in medieval Norwich functioned legally, socially, and economically on a nuclear level. These conjugal relationships were able to remain recognizable within the transient medieval household and separate, to a certain extent, from the outside networks of kin and neighbors. Early modern historians, such as Lawrence Stone and Philippe Ariès, have perpetuated stereotypes that portray medieval conjugal families as entities that were dominated by these external networks. Stone has argued that the family of the Middle Ages was "kin-oriented" and that the basic "unit of husband, wife, and unmarried children was of relatively lesser importance than the wider kinship affiliations of the cousinhood".¹ Ariès, who has studied the evolution of French aristocratic families from medieval to modern times, has also suggested that families of the Middle Ages were merely units whose attention was more focused on extended kinship ties and the community than on nuclear relationships. His idea of the typical medieval household was a large one that consisted of extended family and outsiders.² These two historians have been attacked frequently for their views on the medieval family, but other historians have used their research on specific urban areas to dispute this point of view. For example, Barbara Hanawalt has proven parental care in London³, David Nicholas has examined the

¹ Lawrence Stone, "The Rise of the Nuclear Family in Early Modern England: The Patriarchal Stage", in *The Family in History* ed. Charles E. Rosenberg (Pennsylvania: University of Pennsylvania Press, 1975), 14.

² Philippe Ariès, *Centuries of Childhood: A Social History of Family Life*, translated by Robert Baldick. (New York: Knopf, 1962).

³ Barbara Hanawalt, *Growing up in Medieval London: The Experience of Childhood in History* (Oxford: Oxford University Press, 1993).

nuclear families of medieval Ghent⁴, and P.J.P Goldberg has detailed the lives of women and their relationships in York and Yorkshire.⁵ They basically argue that the typical northern European medieval family was more nuclear in nature and that it was a vital and distinct part of society during this period. These historians, along with others like Beatrice Gottlieb, have stated that the nuclear family was not “discovered” in the modern period and that, instead, it was an entity that has existed for centuries and that it was as complicated and diverse (though in different ways) as family structures of today. This thesis will utilize the knowledge that these medieval historians have gained about the distinct nuclear family and apply it to the citizens of Norwich between 1250 and 1348. By looking at the strength of the husband/wife and parent/child relationships and then putting these conjugal relationships in context within the extended family and outside community, it is possible to understand how, even though these external entities were strong, they did not completely supersede the importance of the nuclear family core.

Yet what is the proper definition of the “medieval family”? Unfortunately, there is not a concrete answer to this question. Until around the nineteenth century, the term “family” often referred to those living in the same household and did not necessarily indicate blood relations. The actual word “family” comes from the Latin *famulus*, which can mean “slave”, and again referred to those who lived under the same roof.⁶ The medieval household was a complicated entity because it was one that was much more transient and permeable than those of modern times. For while the nuclear family and its conjugal relationships were primary to most of these households, urban medieval families were often subject to the comings and goings of kin, neighbors, and workers. This was

⁴ David Nicholas, *The Domestic Life of a Medieval City: Women, Children, and the Family in Fourteenth-Century Ghent* (Lincoln and London: University of Nebraska Press, 1985).

⁵ P.J.P. Goldberg, *Women, Work, and Life Cycle in a Medieval Economy: Women in York and Yorkshire c. 1300-1520* (Oxford: Clarendon Press, 1992).

⁶ Beatrice Gottlieb, *The Family in the Western World From the Black Death to the Industrial Age* (Oxford: Oxford University Press, 1993), 7.

especially true of the artisan classes in the urban areas. These families were living in close proximity to one another and were also involved in trades that called for the training of apprentices and required the use of some outside labor, and these activities often went on within the homes of the artisans. These households were also subject to change and diversity because of the extremely high mortality rate of this period.

For example, while the "accepted" form of living arrangement within the medieval city, according to the law and church of this period, seems to have been a family unit that was composed of two parents and their children, it was not possible for every family to live within this pattern. Therefore, the family and the community often were forced to deal with situations where there was not a complete family present in the household because of an untimely death or simply because a daughter, or even a wife, had decided to live apart from the rest of her family. There were also instances when the household contained more than a nuclear family when, for example, a widowed parent became ill or a relative fell on hard times. Thus, with recognition of these kinds of living arrangements, was the medieval family able to hold onto its identity when it was faced with such situations? And even when a family was complete, how distinct was it from the outside community as well as from the rest of its own household?

A study of medieval families is difficult to research because this period has left behind few if any personal narratives that deal with daily life in the medieval city. To show how these sorts of personal records would have been useful to this study, a historian of women in the Middle Ages has commented, "Laborers did not keep family records, nor were diaries or biographies written in this class which could have taught us something of the attitude of mothers towards their children."⁷ However, a lack of personal narratives should not and does not equate a lack of importance of this type of immediate family relationship. Barbara Hanawalt has compiled conclusive evidence that

⁷ Shulamith Shahar. *The Fourth Estate: A History of Women in the Middle Ages*, translated by Chaya Galai (London: Routledge, 1990), 188.

supports the idea of a family bond between parents and children in both the rural areas of the county of Norfolk in England and in the urban area of London. For this research, she depended heavily on the coroners' records of these two places. While this type of record hardly seems to be a good place to look when attempting to prove the closeness of a family, the detailed information that the coroners were required to obtain (such as the first finders of a body, the scene of the death and the cause of death) supply important information about the daily lives and relationships of those involved.⁸ And since Hanawalt specifically focuses on the records of the deaths of children, she is able to ascertain a great deal about how closely children were monitored, how often children worked alongside their parents and, in some cases, how parents grieved over the loss of one of their children.

Just as Hanawalt has taken impersonal court records and used them to examine the close ties of the family, this thesis will, for the first time, examine the records from the city of Norwich in England and show how the urban nuclear family functioned on a day-to-day basis. The urban families were different from their rural counterparts because the urban family depended more on the trade of goods than on the growth of food for its survival, and so it became necessary for more than just the male head of the household to become involved publicly in insuring the economic well-being of the family as a whole. Also, because of the community that was created by the close confines of the city, the rural families that Hanawalt observed (whose male and female children seemed to fall victim to mishaps in the fields and in the house respectively because of their genders) the roles of men and women in the city were more likely to overlap, even though they remained distinctly separate.

The city of Norwich is an especially interesting area to study for its information on families because the county of Norfolk, where Norwich is located, during the Middle

⁸ Barbara Hanawalt, "Childrearing Among the Lower Classes of Late Medieval England", *Journal of Interdisciplinary History* VII:1 (Summer 1977), 1-22.

Agess was one of the richest and most populated counties in England. It had a growing woolen industry that was centered in the cities and led to an increase in urban population. The city itself held a central position in this county and, even though it lacked direct access to the sea, it thrived on local and foreign trade via nearby ports such as Yarmouth and Lynn. The River Wensum provided the primary means by which this trade occurred as it ran from Norwich to Yarmouth and into the sea. Along this river, goods moved with merchants and travelers alike. Proof of this can be seen in an inquest from 1343 on a boating accident in which a boat "laden with sea coal of the value of 10s., salt in gross with a value of 12d., three barrels of iron called Osmond [small bars of Swedish iron] with a value of 1 mark, one quatron [twenty-five] of bord called Ringold [wood from Riga] with a value of 4s., onions and herrings valued at 2s., and with forty men and women" sank in the river just outside of Norwich.⁹

By 1334, Norwich was the sixth richest town in all of England because by this point in time, it had become home to the main market place in its district.¹⁰ As a result, the city attracted a great diversity of people. Luckily, the records from this city have been very well preserved, and they provide insight into the ways by which these citizens sought to earn a living. These documents show that the urban nuclear family was held together by social, economic, and legal bonds, all of which can be seen through a specific examination of the families who lived in this city between c. 1250 and 1348.

The most important sources from this city are two calendars of deeds that were recorded between the years 1286 and 1341,¹¹ and that is the reason that this thesis is mainly focused on the time period. The entire country of England, as well as the rest of

⁹ William Hudson and John Tingey, eds. *The Records of the City of Norwich*, Vol. I (Norwich: Jarrold and Sons, Ltd., 1906), 222-224.

¹⁰ Barbara Green and Rachel M.R. Young, *Norwich: The Growth of a City* (Norwich Castle Museum).

¹¹ Walter Rye, *A Short Calendar of the Deeds of the city of Norwich Enrolled in the Court Rolls of that City 1286-1306* (Norwich: Printed for the Norwich and Norfolk Archaeological Society by A.H. Goose, 1903); Walter Rye, *A Calendar of Deeds from the city of Norwich Enrolled in the Court Rolls of that City, 1307-1341*. (Norwich: Printed for the Norwich and Norfolk Archaeological Society by Goose and Son, 1915)

northern Europe, underwent great change after 1348 because that was the year when the worst of the plagues struck. But prior to this date, these deeds reveal the intricate relationships between families as they pass property from one hand to another. Unfortunately, the deeds are limited in what kind of information that they offer to the researcher, because they only list the parties involved, some basic forms of relationship identification, and the general area of the property being deeded. These deeds also fail to offer information about class, with the exception of the occasional identification of a "knight" or "lady". They do not provide any indication of household size or structure nor do they give information as to the amount or type of property being deeded. However, these deeds do show the ties that the conjugal families of the city maintained with one another by revealing the naming patterns that some nuclear families perpetuated. They also show economic relationships between tradesmen and their families as well as instances where the family interacted with the larger community on a strictly legal and basic level. These types of relationships can also be more fully fleshed out on this skeleton of deeds from other records from the city, such as police records from the city itself and criminal records from the county courts that include the city of Norwich.

The medieval city of Norwich was divided into four jurisdictions or leets. A bailiff supervised each leet. Within these four leets, there were records kept of illegal activity, or crimes that disturbed the peace of the city. These records, or leet rolls, offer information as to the relationships of family members in that they detail both the offenders and their relationship to one another as well as the victims and their relationship, if any, to their attackers. Also, since it was against the code of the city to sell products within the city unless you were a citizen, and since one could only be a citizen by being included in a tithing group in the city, if someone went against this ordinance, it was documented. Therefore, if someone was illegally harboring a person who was not a citizen or who was not in one of these tithing groups, then he or she was listed on these rolls, which allows one to see how some households harbored people who

were not necessarily members of their immediate family. Since this happened quite frequently in the records, it offers a unique insight into the daily life of the urban medieval household. These records also show the involvement of women in daily life and to a great extent serve to show their importance to the economy and to their families.

The county-wide criminal records, compiled by Barbara Hanawalt,¹² offer the same insight into family relationships as they, too, mention crimes committed by and to family members. Both of these sorts of records reveal the relationships of the immediate family as well as the ties that the community had with these families. The records from the city of Norwich also show the involvement of the other cities of Norfolk, such as Yarmouth and Lynn, in the daily activities of the city. Miscellaneous records from the city of Norwich include the city customals, which list the customs and laws of the city¹³ as well as a listing of the owners of the tenements on the market place in the year 1346.¹⁴ This rental information is very valuable in that it shows how involved each member of the family was in public life and how diverse medieval urban life actually was.

Overall, this thesis will prove that urban medieval nuclear families (consisting of husbands, wives and children) were the primary focus of urban life on economic and social levels. These families were able to function independently and in many forms within the larger community of extended family and outsiders in the city of Norwich. In order to see the importance of the nuclear family in the urban setting, it is necessary to examine the basic relationships that existed within this group and the role of each part of the family in the social, economic and emotional success of the unit as a whole. Thus, this thesis will be divided into four parts that will explain more fully the roles of the

¹² Barbara Hanawalt, *Crime in East Anglia in the Fourteenth Century* (Norwich: The Norfolk Record Society, 1976).

¹³ William Hudson and John Tingey, *The Records of Norwich*, Vol. II, (Norwich: Jarrold and Sons, Ltd, 1910), 363.

¹⁴ Hudson and Tingey, *Records of Norwich*, Vol. I, 132.

family members and of the outside community: husbands and wives, parents and children, widows and widowers, and the extended family and the outside community.

Socially, these medieval English families were expected to be independent for the most part. This thesis will focus on the artisan classes in one particular city because the deeds from Norwich indicate a considerable amount of marketplace property being exchanged, which probably means that those involved in these transactions were tradespeople. Most of these families lived within the same household, even if this household contained others. Once a couple married, they set up a residence together that was usually separate from that of their parents. While these deeds do not adequately indicate the members of these Norwich households, other studies of northern European households show that this was the general trend.¹⁵ Therefore, even though these medieval households may have consisted of outside relatives and servants, the nuclear family was the basis for these living arrangements and the strength of their relationships determined the success of the rest of the household members.

Legally, these nuclear families were very important to one another because the common law in England required a reliance of each family member on the others. For example, the law demanded that husbands and wives act together in the exchange of family property because of the woman's right to one-third of her husband's property on the chance that he died before she did. The leet rolls, or police records, also often recognize both offenders and victims by their nuclear relationships to others. The family is further instrumental to an individual's community reputation, a reputation that could have meant life or death in trial by juries composed of members of that same community.

Economically, the nuclear family was the basis for business within the urban community. Sons, and even daughters, were often expected to carry on the family

¹⁵ Nicholas, *Domestic Life of a Medieval City*; Gottlieb, *The Family in the Western World*; Hanawalt, *Growing up in Medieval London*.

business. Wives were often a large part of the family's economic activity, as many of these women participated in, not only the family trade, but in some cases they also carried on their own small businesses, such as brewing and selling beer, to supplement the family income. Property transactions on the marketplace of Norwich often took place between members of the same trade, and the family can be seen as it takes part in such deeds. Examples of such cases might be instances where a man deeds property in the market to a son-in-law within the same trade or when a son is listed as being involved in the same trade as his father.

Yet despite the diversity of households and the myriad of circumstances in which these families lived, the nuclear family was the basis of life within the urban areas of medieval England. For while the community and the extended family gave life to the cities of the medieval county of Norfolk, the mechanism that kept it alive was the nuclear family. It was the most essential social, legal, and economic unit of places like Norwich, and the connections that these families had with both their extended families and with one another provided the ground work on which the success of the medieval urban environment of East Anglia rested. Yet, just as the city needed a strong system of family relationships, these families also depended on the city and the community that it provided. Even though the study of the history of the family is a complicated one that has been tackled by many prominent historians, this thesis will attempt to take a few of these historiographical approaches to the study of the medieval urban family and apply them to one particular area. Thus, by showing how the nuclear family played a role within this larger network of human relations through an examination of the wills, statutes, deeds, and criminal records of the city of Norwich, this paper will prove that the nuclear family was indeed functional as an independently recognizable and diverse entity in the urban environment of medieval Norwich.

CHAPTER II

LOVE, HONOR, AND OBEY: HUSBANDS AND WIVES

Marriage in the Middle Ages was significantly different from the institution today. Women were viewed merely as providers of children and financial suppliers in times of dowries. Marriage was more about the joining of lands rather than the joining of hearts. The couples married barely even knew each other or what the union entitled them, yet they continued as generations before them had done. Blindly they entered into the institution of marriage, which in medieval times, served more as a functional than morale bond. Amazingly the marriages worked, under worse conditions than we have today.¹

This passage was taken from an Internet web page, and while the author of this text is not a professional historian, she does base her research (albeit rather selectively) on the work of well-respected and established medieval scholars.² Some of the above information could be true about the upper class in medieval Europe, but most people within the towns had probably known their spouses all of their lives, and the wives of these city dwellers often served in a much larger capacity as employees and partners than as baby makers and suppliers of dowries. Yet as far as Shirlig seems to be concerned, every family in the "dark ages" lived in the same manner. That is, all of the women were miserable because they were secluded and oppressed by their husbands, the law, and the church. Obligations to the nuclear family were lost as more importance was placed on the ties of extended kin and, as a result, men, women, and children simply trudged through a life full of disease, inequality and arranged marriages. However, amidst this

¹ Susan Shirlig, "Marriage in the Middle Ages II", Secondary Hypertexts. *Women Writers of the Middle Ages*: <http://millersv.edu/~english/homepage/duncan/medfem/marriage2.html>

² Philippe Ariès and Georges Duby, eds. *A History of Private Life* (Cambridge: Harvard University Press, 1988); Christopher Brooke *The Medieval Idea of Marriage* (Oxford: Oxford University Press, 1989); G.G. Coulton *The Medieval Village* (Cambridge: The University Press, 1925); James Brundage *Law, Sex and Christian Society in Medieval Europe* (Chicago: University of Chicago Press, 1987); Barbara Hanawalt *The Ties that Bind: Peasant Families in Medieval England* (New York: Oxford University Press, 1986); David Herlihy *Medieval Households* (Cambridge: Harvard University Press, 1985).

sad medieval picture that the clean twenty-first century person might envision, there was actually a great deal of diversity in domestic life especially after the growing crisis that followed the mid-fourteenth century plagues. While women were indeed seen as suppliers of children and dowries, the urban population lived a much different lifestyle because of the importance of the family in daily life.

It is very easy for those who attempt to study the past to lump people into larger categories and then simply assume that everyone behaved in that manner. Though it is simple to comprehend the fact that the modern family is very complex and diverse in its internal and external relationships, it is rare to find such an acceptance of families from the past. Since the husband/wife relationship was the basis of this medieval urban nuclear family, it is important to look at the social and economic roles of the husband and wife so that one might begin to see the prevalence of the conjugal family in the urban environment of the Middle Ages. The purpose of this chapter is to define more clearly what it meant to be a part of a medieval nuclear family in the urban area of Norwich by looking in order at the successful medieval urban marriage, examples of separated couples, the husbands and/or wives who were involved in criminal activity and at issues of familial control and affection. These economic and social roles that were played out in the conjugal relationship made the nuclear families of medieval Norwich stand out as separate entities against the larger urban community of kin and neighbors. However, before a specific look at Norwich can be undertaken, it is important to understand some general concepts and facts about the medieval English husband/wife relationship.

Historians have only recently begun to examine the history of the family and the relationships of which it is composed. The main foci of some of these studies have centered on the idea that family relationships have "evolved" from earlier times, or the "Bad Old Days" as Edward Shorter once put it, up to the time of the modern family.³

³ Edward Shorter, *The Making of the Modern Family* (New York: Basic Books, Inc. Publishers, 1975), 3.

these historians (both professional and amateur) have centered their studies have relied on the erroneous assumption that there was only one kind of medieval family.

For example, one of the many focal points of such studies has been that spousal abuse was quite prevalent in the medieval society. Shulamith Shahar in her book on women in the Middle Ages has stated that "Urban laws recognized the husband's right to beat his wife, and court records show that some husbands' exercised this right."⁷ However, what this study and some other studies fail to take into consideration in their perception of this form of male domination is that even though there were laws that allowed for the physical punishment of one's wife, they do not question how often this actually occurred. Even in our modern society where there are many laws against such cruelty to women by their husbands, the problem still exists. Therefore, just because the idea of being able to beat one's wife is allowed by law does not mean that it actually occurred with extraordinary frequency.

The cities as a whole offered a new role for wives because they were able to move in public circles more easily than were peasant and aristocratic women. Wives were needed in these cities to help run businesses and even run some on their own. Since men and women were in a more crowded environment, they were more likely to live on their own with more frequency, because both single citizen as well as young married couples were in closer proximity to other relatives. In any case, these urban wives were taking active and public roles in the daily life of the medieval city. It also needs to be recognized that each couple had its own ideas as to how their marriage was to be run. Because while a large majority of marriages in all classes were indeed run by male heads of household, in reality there was a great deal of variety in medieval family life. Some examples of this complexity comes from the wide variety of marriage arrangements that can be found in the records of Norwich, such as common law relationships, step-families,

⁷ Shahar, *The Fourth Estate*, 183.

single parents, and families where the men are more aggressive, as well as situations where their wives took charge of certain matters.

What did the medieval church and law courts say about marriage? In the twelfth century, Pope Alexander III issued a decree that stated that a marriage could take place with only the consent of the two parties involved and did not necessarily need the permission of either the church or the families of the man or woman if they were of legal age.⁸ The church eventually got control of most matters pertaining to marriage, but the common law had to take charge of the property rights of the man and his wife because the land that was involved in such a union and the inheritance procedures that were necessary for their heirs. For example, under the law, the husband was the wife's guardian and upon her marriage, a woman went from the control and protection of her father to the control and protection of her husband. Once married, all of a woman's property, both movable and immovable, automatically became the property of her husband and she became a *femme covert*, or a woman who 'disappeared' as an individual before the law and who was now only recognized through her husband.⁹ A wife could not sell any of the land owned by herself and her husband, but at the same time, the husband could not sell any land without the permission of his wife because according to the law of dower, the wife automatically gained the life use of one-third of her husband's property.¹⁰ Therefore, if the husband exchanged any property after the marriage, then he was, in reality, selling property that might conceivably belong to his wife as a part of her dower after his death.

⁸ Pollock and Maitland, *The History of English Law: Before the Time of Edward I*, Vol II, 2nd ed. (Cambridge: Cambridge University Press: 1895; reprint, Cambridge: Cambridge University Press, 1968), 371.

⁹ F. Pollock and F.W. Maitland, *History of English Law*, 404. For the concept of a *femme covert* see Sandra Cavallo and Lyndan Warner (eds). "Introduction" *Widowhood in Medieval and Early Modern Europe*. (Essex: Pearson Education, Ltd., 1999), 3.

¹⁰ Pollock and Maitland, *History of English Law*, 408.

According to English common law, the husband was responsible for all of his wife's wrongdoings, even though the *Custumals of the City of Norwich* state that a husband is not responsible for any debts that his wife incurs if they are living separately and are not on good terms.¹¹ Pollock and Maitland sum up the rights and the community that existed between a husband and wife during the Middle Ages:

The formula of common writ tells us that during her husband's lifetime the wife cannot oppose all this, but we cannot, even within the sphere of property law, explain the marital relationship as being simply the subjection of the wife to her husband's will. He constantly needs her concurrence, and the law takes care that he shall have an opportunity freely of refusing her assent to his acts. To this we must add that, as we shall see hereafter, there is a latent idea of community between husband and wife which cannot be easily suppressed.¹² Thus, there existed an interesting relationship between man and wife in medieval England, because while she had the supposed legal authority to hinder her husband's decisions to dispense of their "communal land", the husband owned all of her property and had a considerable amount of persuasive power over her decisions.

However, marriage has never been a simple union of two individuals. Many kinds of nuclear families existed in medieval England, and all seemed to retain the idea of "family" against the outside community and network of extended family. In a closer examination of these relationships, it is important to realize that the urban families who fell into the "atypical" category according to the canon law, which included single parents and stepfamilies, were still accepted by their neighbors. This acceptance was essential for survival in the Middle Ages, because reputation was a vital aspect of medieval society, and if their neighbors or kin for any reason ostracized a family, then it would be very difficult to survive without their cooperation.

¹¹ Hudson and Tingey, *Records of Norwich*, Vol. I, 167-168.

¹² Pollock and Maitland, *The History of the English Law*, 407.

Sources

The deeds from the city of Norwich offer precious little information on the subject of the man and wife relationship because the law demanded that the two be involved in transactions together. However, there are instances where the more complex relationships between these citizens might possibly be determined. The more interesting information that provides more insight into this relationship comes from both the leet rolls and from the records of the city of Norwich edited by Hudson and Tingey. These records show the interaction of husband and wife on both legal and illegal levels as these men and women cooperate in the marketplace and even within their homes.

Happily Ever After: Successful Relationships

No matter what kind of sources are used to examine these diverse nuclear families, it is evident that these husband and wife teams sought to perpetuate their individual families instead of allowing the community to take over their identities when troubled times arose, such as the death of a spouse. The community actually thrived on successful relationships within the family because the more the family could support its members, the less the outside community had to pitch in and help when needed. Unfortunately, examples of such successful marriages are difficult to find in the records from this period, because since these families were not causing any trouble to the community and were not falling into disputes about their land before the law, there was no need to document their activities in any official manner.

The records from the city of Norwich do contain information that points to the existence of such profitable and, more than likely, happy marriages. For example, there were cases where husbands allowed their wives to deed out their land to others, such as in an instance from 1291 where Roger le Mareschal of Norwich gave his consent for his

wife, Isabella, to deed property to a certain William de Banham.¹³ There is also the example of Emma, wife of William Tebald, who deeded property along with her husband's attorney, John de Norwico, to a chaplain named John de Londe.¹⁴ In this instance, William Tebald chose to trust his wife with such an important matter as deeding land to someone in the community.

There are also cases in the deeds of this city where wives received property without either a husband or an outside attorney getting directly involved. In 1290, Emma, the wife of Saham, received property from Walter Goddesman of Yarmouth and Lucy, his wife.¹⁵ In 1313, Custancia, the wife of a taverner named Geoffrey de Henham, was deeded property from Nicholas de Bonewelle and Marion, his wife.¹⁶ There is even one case in 1289 where Hamo, son of Simon de Berstrete, was involved in a transaction with Geoffrey le Mercer and Margaret, his wife, in which Hamo leased a stall to Margaret for life without mentioning how her husband might be involved.¹⁷ Examples such as these, along with two more where Sarra, wife of Walter de Welleford, and Isabel, wife of John Michel of Little Melton, received property from different sources, show that there were husbands who allowed their wives to participate in the deeding of property. This is evidence that suggests a trusting relationship between these men and women and exemplifies marriages where the wives were completely *femme covert*.

The fact that there are also examples of women who came to verify a deed separately from their husbands in which terminology such as "[Alice set] her separate seal to the deed in testimony of her own free action without undue influence of her

¹³ Rye, *Deeds of Norwich, 1285-1306*, 39.

¹⁴ Rye, *Deeds of Norwich, 1285-1306*, 91.

¹⁵ Rye, *Deeds of Norwich, 1285-1306*, 31.

¹⁶ Rye, *Deeds of Norwich, 1307-1341*, 45.

¹⁷ Rye, *Deeds of Norwich, 1285-1306*, 28.

husband or any other person”¹⁸ shows that some kind of consideration was taken of the wife’s opinion by her husband. Another case that shows such concern for the wife’s legal rights appears in 1330, when a certain John Cusin deeded land to a rector in which John’s wife, Margaret, who was not nominally joined with her husband in the grant, came and confirmed it of her own free will.¹⁹ A final example of a husband ensuring the appropriate participation of his wife in a property transaction appears in 1286, when a deed, having been granted to a man alone, was canceled and another was enacted where he and his wife have joint ownership of the property.²⁰ While all of these are examples of legal safeguards to ensure the proper distribution of land, the way in which these terms of agreement are laid out makes it appear that the husband and the law courts wished to gain the cooperation of the wife through her own will and not her husband’s.

Further evidence of satisfactory relationships comes from the common law itself. The fact that a man needed his wife’s permission to deed land to others, due to the law of her right of dower, meant that this was a business relationship that technically required some level of cooperation. Granted, with the laws that were in place that allowed for the beating of one’s wife, it is quite possible that many of these “cooperative” actions shown in deeds were coerced to satisfy the husband’s wishes. However, it is also possible that the couple came to joint decisions on such matters. Human nature is timeless, and there have always been cruel men as well as kind men, and it cannot be assumed that all men chose to beat their wives into submission. It can be assumed that some husbands listened to their wives and perhaps even sought their opinion. An example of such a giving husband comes from 1311, when Alice, the wife of John Modyberd of Pulham, was allowed to leave behind a testament.²¹ A wife who died before her husband was only

¹⁸ Hudson and Tingey, *Records of Norwich* Vol. I, 229.

¹⁹ Hudson and Tingey, *Records of Norwich*, Vol. II, 23.

²⁰ Hudson and Tingey, *Records of Norwich*, Vol. I, 229.

²¹ Rye, *Deeds of Norwich, 1307-1341*, 31.

allowed to make a will with the permission of her husband; otherwise, all her belongings became his to do with as he pleased. The fact that John allowed his wife to distribute her property as *she* saw fit shows that he must have had some degree of respect for her wishes.

A Coat of Many Colors: Relationship Diversity

While some marriages in Norwich were apparently successful in the traditional idea of a nuclear family that was composed of a father, a mother, and their biological children, there was a great deal of deviation from this pattern during this time as well. Such diversity in medieval marriage relations included separated couples, husbands and wives with distinct legal personalities rather than simply a relationship where the woman was merely a *femme covert*, as well as husbands and wives who can be found living outside of the law. While each of these situations offers a different perspective on the husband and wife relationship, these men and women were recognized solidly by their relationship to each other, which in turn provides the basis for a definitive recognition of the nuclear family within the larger urban community.

The most interesting example of a "different" kind of spousal relationship comes from the records that provide information about separated couples. There are examples shown in the leet rolls where women were living apart from their husbands, such as in the instance of Andrew Skipper's wife, lodging in the house of William Burtoft,²² and the wife of Richard Hides, who lodged [in the street] of Fibriggate.²³ This shows an interesting living arrangement, as married women reside separately from their legal husbands. This sort of circumstance was even taken into consideration in the *Customals*

²² Willaim Hudson, ed. *Leet Jurisdiction in the City of Norwich: During the XIIIth and XIVth Centuries with a short notice of its later history and decline from rolls in the possession of the corporation* (London: Bernard Quaritch, 1892), 6.

²³ Hudson, *Leet Jurisdiction*, 11-12.

of the *City of Norwich* which state that a husband is responsible for any debts that his wife incurs, but only if she acquired the debts while she was cohabitating with her husband or if she was living apart from him with his assent.²⁴ Therefore, this kind of situation, where a husband and wife were living separately, must have been a fairly common and even a somewhat acceptable means of living if it was found necessary to include this exception in the Custumals. There is even one clear instance in the leet rolls of a man and wife living in a common law relationship.²⁵ A further example of such a relationship can be found in the calendar of the deeds from the city of Norwich, where William and Matilda, children of Thomas the Rector by Katerina de Wymondham, deed something to Master Hugo de London.²⁶ Clearly, Thomas and Katerina were not married, yet their children were still able to issue land legally to another man. While examples such as these are rare, they show that not every family situation existed along the traditional lines, yet at the same time, that did not necessarily mean that such arrangements were either unsuccessful or unacceptable to the urban community. Even though they were not traditional, they still managed to function on a nuclear level in that even though Thomas and Katerina were not married, their children were still left with some amount of property to deed to someone else.

Evidence that reveals information about inter-spousal relations can also be found in the Norwich court records. For example, out of the fifty-one Custumals or law codes of the city, only seven mention females, and each one that does mention women is careful to designate the male authority.²⁷ The rest of the codes only referred to male citizens because it was assumed that men—fathers and husbands—would take responsibility for

²⁴ Hudson and Tingey, *Records of Norwich*, Vol. I, 167-168.

²⁵ Hudson, *Leet Jurisdiction*, 35.

²⁶ Rye, *Deeds of Norwich, 1285-1306*, 8.

²⁷ Hudson and Tingey, *Records of Norwich*, Vol. I, 132. (Chapters 12, 19, 20, 21, 23, 25, and 29).

their female relatives. Therefore, it would seem that women held a unique position, since apparently they could only be held accountable for a crime through their male relatives. Women were not considered to be competent enough to be considered responsible for their own actions; therefore, it was the responsibility of their male relatives to be responsible for their actions before the law. But was this really how it happened?

Not only were wives recognized as property owners in Norwich, as can be noted in the deeds of the city, but they were also consistently held responsible for their own actions before the juries at the court hearings. Married women were taken to court for crimes and tried as individuals instead of through their husbands, such as the case of Celia, wife of John Lomb, who stole eight marks from a parson.²⁸ Many of the examples of married women who were brought before the courts involve breaking the assize of ale. Sometimes husbands were accused alongside their wives, as in the cases of John of the Stonehouse and his wife, who were taken for not observing the assize of ale²⁹ and Ralph de Caister and his wife, because they brewed and set no seal outside.³⁰ There is also the example of Ranaulph Saluz, who bought corn and gave it to his wife to make malt, "whereby the king loses".³¹ However, this crime was most often committed by the wife alone, and entries like the following were the most common: the wife of Richard Boatman sells beer by the single pot and three pots do not make a gallon of beer,³² and the wife of Henry Constanoble because she sells a gallon for two pence.³³ While these women were probably at least escorted to the judge by their husbands, they are

²⁸ Hudson, *Leet Jurisdiction*, 35.

²⁹ Hudson, *Leet Jurisdiction*, 27.

³⁰ Hudson, *Leet Jurisdiction*, 28.

³¹ Hudson, *Leet Jurisdiction*, 19.

³² Hudson, *Leet Jurisdiction*, 33.

³³ Hudson, *Leet Jurisdiction*, 6.

recognized on the rolls as being responsible for their crimes, even though the custumals do not always allow for their punishment.³⁴

Some of the examples from the deeds are even more interesting with regards to the relationship between husband and wife. One deed makes arrangements for Thomas the tailor and Joan his wife to have a solar with a shop below it (containing three windows) after they transfer the rest of the property to John, rector of North Burlingham.³⁵ Not only does this show joint ownership, since the wife is included in the legal terminology of the transaction, but it also lends the reader a picture of a couple (whose children have either moved out or who have never had children) living together in a separate and independent manner. Out of the 1,571 deeds enrolled from the city of Norwich between 1285 and 1306, 1,134 of the entries are transactions that involve both a man and his wife. While it is understandable for the wife to be involved in many transactions because of the dowry that she brought into her marriage, it is interesting to note how infrequently men were involved in deeds without a wife being mentioned. There are some cases where men are involved in one deed with their wife and in the next deed without her. For example, in 1303, Henry, son of William le Rus, and Christiana, his wife, deeded property to Adam le Exsmicht. In the next two deeds, Henry can be found deeding property without any mention of his wife to both Alexander, son of Roger le Carectere, and Cecilia, his wife, as well as to a merchant named Richard de Stalham.³⁶ Only 221 of the deeds were transactions between two single men. The rest of the deeds either deal with husbands and wives, widows or single women.³⁷ Therefore, it was by

³⁴ One exception to this rule is in the twenty-ninth chapter of the Custumal, which states that a husband is not responsible for any debts that his wife might incur if they are not on good terms with each other. (Hudson and Tingey, *Records of Norwich*, Vol. 1, 167-168).

³⁵ Hudson and Tingey, *Records of Norwich*, Vol. 2, 2.

³⁶ Rye, *Deeds of Norwich, 1285-1341*, 94.

³⁷ Rye, *Deeds of Norwich, 1285-1306 and Deeds of Norwich, 1307-1341*.

combining forces in these property matters that the husband and wife sought to protect the rights of their nuclear family.

Who's the Boss?: Authority and Affection

There is not much detail in the Norwich customals when it comes to authority within a family, because it was assumed that the male head of household had it all. But, there were cases where the man of the house had his authority taken over by the courts. While the customals do indeed keep out of family matters for the most part and leave that to, assumingly the male head of household, there are cases in the leet rolls where the courts take a family matter and punish the family members for their crimes. There are even three cases where a husband raises the hue on his wife!³⁸ The fact that a husband is afraid of his wife to the extent that he calls for help is an extremely interesting find, because it shows that a male head of household was not always in charge. It also shows that medieval women were not always as submissive as they were supposed to be according to the ideals of the day.

It would have been very difficult to maintain total submission of wives to their husbands in an active urban environment, and the leet rolls provide some interesting insights into this statement. For instance, there are cases where wives can be found as very active participants on the public marketplace, which shows that there were married women who were working outside of the house to earn money for themselves and their families. There were even women who were recognized for a certain trade, such as a leadbeater³⁹, a cobbler⁴⁰, a pudding-wife⁴¹ and a hatter.⁴² Some of these trades had male

³⁸ Hudson, *Leet Jurisdiction*, 5, 6, 53.

³⁹ Hudson, *Leet Jurisdiction*, 5.

⁴⁰ Hudson, *Leet Jurisdiction*, 24.

⁴¹ Hudson, *Leet Jurisdiction*, 6.

⁴² Hudson, *Leet Jurisdiction*, 53.

counterparts and cannot be considered necessarily women's work. Again, these findings are not to show that wives were completely equal to their male counterparts, or that wives were expected to support their families alone, because this is untrue. Women were not for the most part allowed in guilds, and these examples from the leet rolls show the exceptions rather than the rules, but they do show that this was not a completely static society.

As for the role that family affection played in the lives of the medieval urban population, there is really no way to show accurately that such a thing existed. Shorter and Stone have both argued that such affection was unlikely, but again, one must think of the basics of human nature. And the previously stated examples of wives working alongside their husbands show that not all men perceived their women as useless and incapable. While these particular examples do not provide a great deal of information about the husband/wife relationship, they do show that there was an effort made by the husband to include his wife in his daily activities.

Conclusion

Thus, if one takes another look at the quotation cited at the beginning of this chapter, the diversity involved in medieval urban marriage becomes more evident. The church and the lawmaking bodies inevitably sought to exclude and repress women. However, it must be recognized that not all men were created equal and as a rule, there is and probably has always been a large gap between the law and everyday activities. Again, this chapter does not seek to deny the fact that women were perceived to be much less important than their male counterparts, because this was an idea that was accepted by medieval men and women alike. Yet it must be emphasized that there was no set pattern that perfectly describes all medieval marriages. Some probably married for love; some wives probably had stronger personalities than their husbands. There is a chance some husbands beat their wives (although there is no evidence for this in the records I have

seen from Norwich); some might have showered them with gifts. Whatever the situations that may or may not have existed in medieval Norwich, the hard evidence that one finds in the records from this East Anglian city shows that wives played an integral part in the daily lives of their families. As seen in the evidence from the leet rolls from Norwich, there were many cases where this institution of marriage and family was not as oppressive as it seems to Shirlig. Wives were active and very public parts of daily urban life. They took part in the activity of the market place and were recognized as individuals before the law. They were included in the deeding of land alongside their husbands and in some cases even chose to live in a different place than their legal spouse. As for the idea that men were completely dominating, there are cases where men needed to be rescued from their wives.

Regardless of their situation in life, the husband and wife seemed to be united in the fact that, overall, they worked together for the common good of the family. Just as today, most parents wanted the best for their children, and while there is no way to recreate the medieval urban atmosphere for a lack of personal accounts, one can only assume that human nature has not changed much and that there did exist a connection between a husband and a wife that superseded the necessity for basic survival. The perception of the medieval family that has been perpetuated by such historians as Shorter, Ariès, and Stone has been one based on sweeping generalizations about medieval life. Granted, each has his own reason (Shorter and Stone desired to concentrate more on the early modern family, and Ariès based his assumptions on evidence from upper-class French family information). However, these concepts, coupled with the ideas perpetuated by the church and court records from the period, show women dominated by their husbands. While this was true, to a great extent it would be a grave mistake to assume that all marriages existed under such circumstances. Despite the living situation of the husband and wife in medieval Norwich, this relationship created the basis for the rest of their family. From the evidence found in the court records and Leet Rolls, the

standard family was nuclear. The prevalence of the nuclear family will be discussed in a later chapter, but it is important to see how diverse relationships between husbands and wives were and how vital the success of this relationship was to the individual family unit.

CHAPTER III

PROTECT THEM FROM HARM: PARENTS AND CHILDREN

Was there such a thing as a “medieval childhood” where young people were considered innocent and not seen merely as potential farm workers or as pawns in the game to win more property? Historians such as Philippe Ariès, Lawrence Stone, and Lloyd de Mause have argued that childhood was not a recognizable stage of life during this period and, instead, the notion of childhood as a different stage of life is actually an invention of the modern age. They argue that before this time parents either detached themselves emotionally from their offspring (because of the great likelihood that their children would not live past their first year) or treated their young like “little adults”. De Mause even goes so far as to say that “the further back in history one goes, the lower the level of child care, and the more likely children are to be killed, abandoned, beaten, terrorized and sexually abused.”¹

Other historians like Barbara Hanawalt, David Nicholas, and Ferdinand Mount have disputed this point of view and argue instead that medieval children, while certainly seen differently than modern children by their parents, were recognized for their innocence and for their need to be nurtured and protected from harm. This chapter has three main objectives. First, it will look at the study of the history of childhood and examine the different views taken on this stage of life in the medieval period. Secondly, it will show the social ties that existed between parents and children in medieval Norwich through an examination of the records left behind in that city. Finally, this chapter will show the economic role that the parent/child relationship played within the nuclear family of medieval Norwich.

¹ Lloyd de Mause. *The History of Childhood* (NY: The Psychohistory Press, 1974), 1.

The Historian's Child: A Brief
Historiography of Medieval Childhood

Modern readers rarely take the extreme conclusions made about the medieval family by a historian like de Mause seriously. Nevertheless, other historians such as Lawrence Stone share his idea that the concept of childhood, as a recognizable phase in life, is a modern or early modern invention. Therefore, it is still important to look at his work, along with others such as Stone, and determine where they get these ideas about the 'invention' of childhood. Overall, de Mause has taken a huge amount of time, from antiquity through the early modern age, and summed it up as simply a time of terror for unloved and uncared for children. Lawrence Stone is also guilty of coming to some sweeping conclusions about the family in general on the basis of a few examples over a thousand years. He states that after 1500 the importance of kinship, as the main organizing principle of the society, began to decline. The implication here is that, before this time, the nuclear family was lost in a sea of extended family and an imposing community. Stone's main argument is that there was a transitional stage between "the more kin-oriented family of the late Middle Ages" to "the more companionate and egalitarian nuclear family of the eighteenth century."² Stone's conclusion that the medieval family was "an institution whose prime purpose was economic support rather than affective bonding"³ is used to prove his idea that the nuclear family was not as important as the kinship network of the extended family. However, Stone, like de Mause, has taken the family out of its historical context. The plain fact is that the medieval period was a different time period from the modern era. These times were harder, which resulted in placing different kinds of demands on the nuclear family. But, it was these very demands that made this conjugal family all the more important to its members and to the community as a whole. As the evidence from Norwich will prove, the bonds

² Stone, "Rise of the Nuclear Family", 57.

³ Stone, "Rise of the Nuclear Family", 14.

between the members of the nuclear family were very present in this “economically based society”, and the relationships among the members of the conjugal family were much more important and emphasized than those of the external family and kinship circle.

While de Mause and Stone have taken this immense segment of the past and packed it into a neat bundle of extended family and kin, others who have studied this same subject have come to quite different conclusions. Barbara Hanawalt has done a great deal of research on children and childcare in medieval England from both a rural and an urban perspective. Her glimpse into the coroners’ records and criminal statistics has brought her to the conclusion that family ties were closer than previously believed, as many parents were on hand at fatal or injurious accidents of their children. Hanawalt has been able to express the individuality of these families and has shown the emotion involved in the loss of a child that was often expressed by the parents. She has also shown that many homicides and episodes of violence in the medieval community took place outside the home in the larger community of neighbors and extended kin. The evidence that she has accumulated from the Northamptonshire coroners’ rolls in the fourteenth-century shows that while fifty-three percent of all murders that are inter-familial in modern Britain, only eight percent of all medieval murders took place within the immediate family.⁴ This conclusion is confirmed by this study of the records from the city of Norwich, because very few instances were found of violence taking place within the nuclear family. However, Hanawalt takes this argument a step further by concluding that because so many acts of violence were carried out against the outside community and so few within the closer bonds of the family, that this meant the outside community and network of extended family was more important than the ties between

⁴ Barbara Hanawalt, *Crime and Conflict in English Communities, 1300-1348*. (Cambridge: Harvard University Press, 1979), 159.

conjugal family members.⁵ While this could be true, this thesis will argue that it was the strength of the nuclear family and the importance of each member to the success of the whole that led to these few accounts of inter-familial violence. These family members were dependent on one another and, moreover, parents as a whole had a desire to see their children succeed and children sought to support their parents, both as single offspring and after their marriages as well. It may seem that this hypothesis makes the same sweeping generalization that some other historians have stated about medieval families, but this thesis will focus more specifically on the urban working class (or the artisans of the city) of one particular area in order to understand more fully the nuclear family relationships.

The inter-familial violence that affected children in particular is examined more closely by Barbara Hanawalt when she speaks out against the ideas of child abuse that are suggested by de Mause. Hanawalt concludes that "both the urban and the rural coroners' inquests show community censure of parents who left children with inadequate care."⁶ She also points out that "Pre-modern parents did not assume that the state would take care of their children's education, clothes or even food. They understood that their children's survival depended on their resources and training."⁷ Thus, Hanawalt seems to focus on the idea that parents cared for their children and nurtured them in a manner that would help them to deal with the stresses and rigor that they would face in the harsh reality of life.

This view of a medieval childhood that is indeed different than the modern concept of children, but not necessarily worse or better, comes from David Nicholas.

⁵ Hanawalt, *Crime and Conflict*, 167-8.

⁶ Barbara Hanawalt. 'Of Good and Ill Repute': *Gender and Social Control in Medieval England* (Oxford: Oxford University Press, 1998), 163. See also Hanawalt, *Ties that Bound*.

⁷ Hanawalt, *Of Good and Ill Repute*, 173.

Nicholas comes to some interesting and concise ideas about the medieval idea of childhood:

The physical circumstances of life were difficult in medieval Europe. Because most adults were the victims of considerable gratuitous violence and emotional and economic deprivation, at least when compared with standards in the contemporary Western world, it should occasion no surprise that children, as legal and physical dependents of those adults, would suffer even more. Standards of discipline in the home and, and even more in the schools, were undeniable much severer than now, but this does not mean that most children were deliberately mistreated or exploited...The 'modern' period brought no magic dawn of enlightenment to the European child.⁸

Nicholas recognized the strength of the nuclear family in the realm of childrearing and concludes that only in the cases of death or incapacity did the extended family interfere with this parental bond. Nicholas also touches on the idea of intra-familial violence versus the violence of the rest of the community by stating that in the larger cities of the north, many times the vendetta style violence that involved families took place, but in the smaller cities that this may not have been true. As will be noted, this kind of intra-familial violence was rarely recorded in the records of Norwich, but as Nicholas points out, perhaps it was because the city was a barrier between the nuclear families and their extended kin due to the growing rate of immigration to the cities during this time period.⁹ Nicholas also concludes that "artisan and peasant parents, whether through economic necessity or personal inclination, more often kept their children at or near home, and participated more directly in their upbringing."¹⁰ This is a conclusion that will only be reiterated by the information found in the records from the city of Norwich.

⁸ David Nicholas, "Childhood in Medieval Europe", in *Children in Historical and Comparative Perspective: An international Handbook and Research Guide* eds, Joseph M. Hawes and N. Ray Hiner (New York: Greenwood Press, 1991), 45.

⁹ David Nicholas, *The Later Medieval City 1300-1500* (London and New York: Longman, 1997), 315.

¹⁰ Nicholas, "Childhood in Medieval Europe", 44-45.

Ferdinand Mount has further written against the ideas of abusive and disinterested parents. Mount claims that the techniques de Mause points out as being cruel and dismissive, such as the practices of swaddling and giving children out to wet-nurses, were actually measures taken to ensure the survival and health of their children and not a means taken to be rid of them.¹¹ Mount also cites Philippe Ariès and notes that it is impossible to deduce how all persons in a given society felt about their children solely by examining the pictures of the time period.¹²

The Child in History: The Lives of Medieval Children

However, all of these historians agree on one thing: the study of the history of childhood is not an easy undertaking. This is especially true of the lower and middle classes of the medieval period and especially in the years examined in this paper, between 1250 and 1348. Few laws directly mentioned children except in connection with the inheritance of property. There were no laws issued to protect children from their parents or from the outside world aside from the general laws enacted to protect all citizens and their families in order to keep public peace. There were some canon laws in place that offered protection for medieval children, for the church was an institution set up to deal with family matters that touched on marriage and personal relations. A lack of personal accounts from this period also poses a problem because it is difficult to ascertain the feeling of family members toward one other by looking at the court records that deal with property transactions and legal difficulties. The study of childhood is also difficult because births were not required to be recorded officially, as in the case with many marriages during this time, and the infant mortality rate was so high that many parents had more children who died than are mentioned in wills and deeds.

¹¹ Ferdinand Mount, *The Subversive Family: An Alternative History to Love and Marriage* (New York: The Free Press, 1982), 105. Mount really cites Edward Shorter in this passage, but Shorter deals with the same ideas as those of de Mause.

¹² Mount, *The Subversive Family*, 106.

Yet despite a lack of official records, these children did indeed exist, which leads to questions such as who these children were and what their place was within society and the family. Were they merely seen as temporary and precariously unloved creatures until they made it through their first few years of life? Did parents not find the necessity to give these fragile beings any attention until they became useful to their trade or for doing housework? Were these children treated only as "little adults" and as a result denied the enjoyment of their innocence in the phase of life that modern society knows as 'childhood'? It is difficult, though not impossible, to answer these questions through a look at the impersonal court records from the city of Norwich. Such an examination sheds light on this mysterious medieval relationship between parents and children in an urban environment.

Before a specific look at parents and children in Norwich is undertaken, it is first necessary to explain what the contemporary perception of the medieval parent/child relationship was in general. From its beginning, medieval childhood was a rather violent and risky condition. There was little knowledge of proper emergency birthing procedures and this made the process of even the most minutely complicated childbirth both extremely painful and potentially lethal, which led to the deaths of many mothers and newborns. A newborn infant had a twenty to forty percent chance of dying before the age of one, which meant that only six out of ten babies survived. Furthermore, once the child reached the age of one it had about a fifty-fifty chance of living to be an adult. As Beatrice Gottlieb has pointed out, it took two births to make one adult.¹³ Thus, the unpredictable process of childbirth was seen as a necessity of life, and the high infant mortality rate made these risks all the more strenuous to the mother. However, this did not constitute a lack of love, affection, or a feeling of responsibility from the parent towards the new baby.

¹³ Gottlieb, *The Family in the Western World*, 133.

This can be seen in the fact that measures were taken to take care of these babies. The practice of swaddling, or wrapping, the baby in bandages was a complicated process, but was often carried out to make sure that the infant's limbs grew straight. In the common law court records of the Middle Ages, there are few listed instances of infanticide. The canon law courts produced more examples of this crime because they were in charge of crimes against Christian law. However, the crime of infanticide was recognized as negligence and as something less than homicide by both the church and the state.¹⁴ De Mause is obsessed with the idea of infanticide and states that "the further back in history one goes, the more filicidal impulses are acted out by parents."¹⁵ Yet out of all of the records examined in his study from the city of Norwich, there are only two documented cases of infanticide. Of course, this is not to say that these were the only incidents because it was very difficult to prove this crime because of the common occurrence of "lying over" a child, causing it to suffocate while it slept in the bed with its parents. Even though incidences of infanticide were perhaps more common in this medieval world due to a lack of orphanage facilities and the shame involved with an illegitimate child, this still does not mean that the practice was looked upon kindly by the rest of the community.

Hiring a wet nurse was not as common in the urban middle and lower classes as it was in the upper classes. Most families could not afford to do such a thing, and therefore, most urban babies were raised in their own households. Because of the late marriage ages that were prevalent in the cities, many women did not have their first child until the ages of twenty-five to thirty. Since they nursed their own children, which is a natural birth control, many pregnancies were spaced out by two to three years. The average household size has been debated, but a study by Peter Laslett has determined that the

¹⁴ Gies, *Marriage and the Family*, 204.

¹⁵ De Mause, *The History of Childhood*, 25.

mean household size in 1574 was around 4.75 individuals.¹⁶ Another study completed in the nineteenth century based on the households included in a ninth century survey of the lands of the monastery of St. Germain des Pres. This study, although questionable in its accuracy, sets the average household size at 5.79.¹⁷ While these two surveys were taken in two different areas of Europe, and one was taken centuries after the other, they do reveal some consistency in the relation of household size. Thus, with what might be tentatively assumed as a relatively small household, it would seem that individual attention would have been available to children and that with such a small number of potential heirs, these children were cared for well enough to reach adulthood.

After the age of about seven or eight, the child would begin to help parents in household chores. Since many urban businesses were run out of the home, most children worked in these trades as well. Sometimes children in their teens were sent out as apprentices to another trade or to the same trade. Usually these mentors were relatives or friends of the family. The master would assume responsibility for the child and would pay for his or her food and upkeep. One such agreement can be found in the deeds from the city of Norwich:

Indenture of Apprenticeship between John, son of Gerard le Specer, and Hubert, son of William de Tibenham, of Yarmouth. Hubert is to remain in the service of John for six full years and be his apprentice. He shall obey his orders, keep his secrets, guard his goods, warn him of impending damage, etc. If Hubert transgresses these rules, he and his pledges shall make satisfaction according to the judgment of merchants and other trustworthy men. If John dies during the term of office, the contract shall hold good with a successor assigned in his will. John shall teach Hubert his business [of a spicer] in buying, selling and all other things and proved him with suitable food and clothing. If Hubert dies during the term or cannot stay with John by reason of harsh treatment, John shall pay Hubert or his pledges every remaining year of the term half a mark of silver. Hubert gives John forty shillings in hand. Two pledges are named on each side. The

¹⁶ Peter Laslett, "Introduction: the history of the family", in *Household and Family in Past Time* Peter Laslett (ed.). (Cambridge: The Cambridge University Press, 1972), 76.

¹⁷ David Herlihy, *Medieval Households* (Cambridge: Harvard University Press, 1985), 70.

parties and pledges set their seals to the two parts of a cyrograph or indenture. (June 1291)¹⁸

This example shows how these apprentices were protected in their agreement with their masters, and it also shows what the agreement was expected to produce for both parties.

The records of the city of Norwich reveal that the parents of this city seemed to have a great deal of concern for the well-being of their own children, both before and after the marriages of their sons and daughters. For example, there are cases where unmarried children receive property from both their parents, such as in the case of William le Verly and Alicia, his wife, who deeded property to Katherine, their daughter,¹⁹ and Nicholas de Ingham and Gundreda, his wife, who also chose to deed property to Walter, son of the said Nicholas and Gundreda.²⁰ Even when the children were married, parents still gave property to both sons and daughters. Instances such as this can be seen in the case of Roger de Buxton and Maria, his wife, to William de Buxton, their son, and Matilda, his wife.²¹ Daughters were not ignored after their marriage either, for in 1314 Henry de Heyliden and Agnes, his wife, deeded some property to Hervey de Hapisburgh and Agnes, his wife, their daughter.²² Thus, through both the process of apprenticeship and by deeding property to sons and daughters who had not yet established themselves as a part of a separate nuclear family, these medieval urban parents knew that the best way for their children to learn the skills they needed to survive, was for them have hands-on experience in their work.

¹⁸ Hudson and Tingey, *Records of Norwich*, Vol. I, 245.

¹⁹ Rye, *Deeds of Norwich, 1285-1306*, 73.

²⁰ Rye, *Deeds of Norwich, 1285-1306*, 4.

²¹ Rye, *Deeds of Norwich, 1285-1306*, 50.

²² Rye, *Deeds of Norwich, 1307-1341*, 52.

Sources

The urban environment in general provided a close-quartered community, but it was still the parents' responsibility to care for and protect their children (as well as vice versa). Specific examples of the importance of this relationship can be seen in the records from Norwich. The first surviving indications of the prevalence of the nuclear family in this medieval city and the importance placed in the parent/child relationship are in the deeds from the city between 1285 and 1341. In these deeds the only clear unit of identification for individuals was by their relationship to their immediate family. Entries such as Simon, son of Roger de Penteneye, and Basilia, daughter of Lecia de Tudenham, as well as Juliana, wife of John le Maschun, are common examples from these deeds and show the importance of these relationships in the individuals' place within the community. These nuclear relationships gain more importance when it is noted that out of the 1,571 deeds surviving between the years 1285 and 1306, fewer than one hundred entries mention extended family members such as nieces, nephews, uncles, aunts, and other kinsmen. The rest either list no relation or otherwise indicate a relationship to some member of his or her immediate family. This same pattern can be seen in the leet rolls from Norwich. Again, individuals are frequently recognized by their relationship to their nuclear families, with entries such as Geoffrey, who married the daughter of Alexander Sarterin.²³ In a time before the use of a surname was commonplace, the community used the knowledge that it had of a family to pinpoint identify within that family.²⁴

²³ Hudson. *Leet Jurisdiction*, 15.

²⁴ However, the frequent occurrence of the nuclear family in these deeds does not eliminate the possibility that there was more interaction among a person's extended family of cousins, aunts, uncles, and in-laws. In fact, these kinds of transactions probably make up the majority of the records because, if the immediate family was well-known to the community, the extended circle of kinship was probably just as well-recognized by outsiders to the nuclear family unit.

Mommy Dearest: Parental Concern

The prevalence of these nuclear relationships in the deeds and leet rolls shows that this family unit was deemed important and distinctive. But what were the social roles of this "distinctive" group of people within their community, and what evidence exists to show the bonds that held this family together? First, there is little evidence in these records that indicate parental abuse or neglect of children. There is a single reference in the leet rolls to a son raising the hue, or alerting the community to a wrongdoing on his father.²⁵ There are also two cases of infanticide recorded in the records, as previously mentioned, which were investigated for this study. One was the case of Alice Grout and Alice Grym who "were taken for the death of a certain infant three days old whose name is not known. They are accused of drowning the child in the river at Norwich. Isabelle of Bradenham, her daughter, Alice, and John, brother of Alice, were taken for assent to the death."²⁶ All were acquitted of the crime. The other case involves John, the Redpriest, who was arrested and found guilty of the murder of a male child begotten of his concubine.²⁷ However, these were the only two cases recorded in the records examined in this study. It should also be noted here that there was not a tendency to kill only the unwanted daughters, because the second case involved the murder of a male child. In any case, it seems that the community was horrified by the fact that the murder of the child in the river by Alice Grut and Alice Grym was witnessed by so many people who did not attempt to intervene. Again, these crimes were more likely to be reported to the canon law courts, but it is still interesting to note that the community took action on these selected incidents through the common law courts.

²⁵ Hudson, *Leet Jurisdiction*, 25.

²⁶ Barbara Hanawalt, *Crime in East Anglia in the Fourteenth Century*, (Norwich: Norfolk Record Society, 1976, Vol. XLIV), 36 #126.

²⁷ Hudson, *Leet Jurisdiction*, 35.

Yet even children who were not considered part of the original nuclear family because of the deaths of a husband or wife were still accepted by the family and the community. Stepchildren received land from their stepparents, as in the case of Richard de Felmingham, lindraper, and Prisca, his wife, when they gave property to John, Richard's son by Amabilla, his late wife.²⁸ Here is a case where a wife was involved in the transfer of property to a son who was not her own. Granted, her husband may have given her no choice in the matter, but there is always the chance that she did it of her own free will. There is also the case of John de Branton of Frettenham and Juliana, his wife, formerly wife of Robert de Len, who acted on a transaction with Hamo, son of Robert and Juliana.²⁹ David Nicholas has remarked on the power of a husband to either accept or reject his new wife's children, but the deeds from the city of Norwich show that there were many instances where this acceptance was made and where these stepchildren were treated well by their new mother or father.³⁰

These deeds, leet rolls, and other records from this city show an interesting relationship between urban parents and their children. The leet rolls from Norwich show that parents often put their reputations on the line for their children; and in a time when community reputation meant a great deal, some sort of emotional bond must have existed to make them do so.³¹ An example of this comes from the case where Henry Gylur harboured his son, Edward, when he was a fugitive.³² There is also the case of William Crisp, who received a bushel of barley, which his daughter stole.³³ But this relationship

²⁸ Rye, *Deeds of Noriwich*, 1285-1306, 43.

²⁹ Rye, *Deeds of Norwich*, 1285-1306, 60.

³⁰ Nicholas, *The Later Medieval City*, 279.

³¹ The topic of the outside community and its involvement with the nuclear family is discussed in chapter five of this thesis.

³² Hudson, *Leet Jurisdiction*, 40.

³³ Hudson, *Leet Jurisdiction*, 38.

did not always require a sacrifice of some kind. For example, Roger de Switford, fishmonger (by his attorney), left to Andrew de Acre and Beatrix, his wife, daughter of Roger, some property for their advancement.³⁴ Also further proof for Hanawalt's theory about the coroners' records comes in a much smaller form from the records of the city of Norwich, since these records as a rule do not deal with death, accidental or murder.

Three cases show the close proximity that mothers had to their children when one or the other died in an accidental mishap. The first example is a case where a five-year-old girl named Christiana was struck and killed by "a stroke of thunder and lightening" in 1276. In this case, the mother of the child was the first finder.³⁵ Christiana's mother was obviously close by, although the question remains as to why the girl was out in the open during a storm, but she might have been coming to her mother's bidding to shelter when the incident occurred. Simon, son of Laurence de Schotesham, fell into a pit and drowned while drawing water with a pitcher.³⁶ While there is no indication of Simon's age, his mother was the first finder, which may point to a younger age for the victim, as he was not found by a stranger and was probably close to home. But the last example shows that women were very active in the market and that they often had their children with them. In this instance, Lecia le Paumere was drowned in a pit in the old Swine Market through an attack of frenzy.³⁷ Her son, John, was the first finder in this case. Again, age is not mentioned, but here another instance of mother and son involvement outside of the home can be seen.

³⁴ Rye, *Deeds of Norwich, 1285-1306*, 28.

³⁵ Hudson, *Records of Norwich*, Vol. I, 219.

³⁶ Hudson, *Records of Norwich*, Vol. I, 216.

³⁷ Hudson, *Records of Norwich*, Vol. I, 219. The attack of frenzy mentioned is probably one of epilepsy or some other kind of uncontrolled muscular contraction.

Brother, Where Art Thou?: Medieval Siblings

These records also give insight into the social relationship among siblings. There are nine instances where property is given to a man and his brother. While the deeds do not make it clear what kind of property this is, whether commercial or residential, it is clear that these brothers are to do something together with this property. It is made clear that the brothers were going to live together in the case of Thomas de Glanvyle, rector of the Church of St. Botulph, and Josep, his brother, who received a chamber in the house of John Genadyn, weaver, and Custancia, his wife.³⁸ There are also three cases of brothers giving land to their brothers. Brotherly devotion can be further witnessed in a case from July of 1266, where a certain Nicholas Spigurnel, then sheriff of Norfolk, was in his house in Norwich and heard a dispute taking place between his brother and John, son of Simon the lindraper. Nicholas intervened in the argument, and as John fled, Nicholas kicked at him and missed his stroke, causing him to fall, break his leg, and put his foot out of joint. Nicholas died as a result of this incident.³⁹

There are also six cases of people giving property to a brother and a sister. One such example is Roger de Peyntur and Richilda, his wife, giving to Ralph Attling de Wyk, tanner, burgess of Yarmouth, and Christiana, his sister.⁴⁰ There is also a case where a sister, one Elena, daughter of Henry de Heylesdon, deeded property to Henry, her brother.⁴¹ However, the most emphatic display of brotherly and sisterly affection comes from the example of Eliza, daughter of Hamo Wotte, who appealed several persons in December 1266 for killing her brother, Ralph, who was the servant of William Payn. Her appeal was not made in the full court of Norwich until April 1268! Nine

³⁸ Rye, *Deeds of Norwich, 1285-1306*, 98.

³⁹ Hudson, *Records of the City of Norwich*, Vol. I, 209.

⁴⁰ Rye, *Deeds of Norwich, 1285-1306*, 29.

⁴¹ Rye, *Deeds of Norwich, 1285-1306*, 50.

persons testified that Ralph was indeed killed, but the result of the trial is unrecorded.⁴² Regardless of the final ruling on this case, the fact that a sister spent so much time and energy to defend the memory of her brother says a great deal for her relationship with him.

Unfortunately, not all family relationships were so loyal and loving. The leet rolls show three instances of sibling violence. One was the case of Walter, son of Walter the barker, who drew the blood of his sister, Lucy.⁴³ The second is the case of Henry of Dublin, who drew the blood of Robert the Chaplain his brother⁴⁴, and the last of these examples is the case of Benedict Bird, who drew the blood of his brother.⁴⁵ There is also the case of Hugh, son of John Tynile, who was taken for procuring and consenting to the death of his father, who was feloniously killed by John Happing in Norwich. The jurors found that Hugh was guilty of the crime, and he was released to the bishop, as he was a clerk.⁴⁶ Thus, while instances of this nature were recorded in the city, most of the crimes took place outside of the familial relationships. But does this prove that the familial relationships were weaker than those relationships with the outside community? Perhaps, but it could also mean that the individual family members realized their importance to one other, because if their family was to survive, it had to cooperate to keep up the family business and secure the future of its heirs.

⁴² Hudson, *Records of the City of Norwich*, Vol. I, 213.

⁴³ Hudson, *Leet Jurisdiction*, 3.

⁴⁴ Hudson, *Leet Jurisdiction*, 19.

⁴⁵ Hudson, *Leet Jurisdiction*, 17.

⁴⁶ Barbara Hanawalt, *Crime in East Anglia in the Fourteenth Century: Norfolk Gaol Rolls, 1307-1316* (Norwich: Norfolk Record Society, Vol XLIV, 1976), 68-9 #389.

could leave their children different pieces of property, both movable and immovable, in the shape of tenements and stalls as well as personal property and wealth. In the deeds of Norwich between 1285 and 1341, there were almost as many instances of mothers leaving property to their children as there were cases where fathers made the same kinds of bequests and both sons and daughters were recipients of such property. Daughters were also listed as the heiresses of their fathers' property, as in the cases of Sabina, daughter and heir of Robert Faytce,⁵¹ and of Beatrix, daughter and heiress of Robert de Norwyce.⁵²

In any case, these children, both sons and daughters, were a vital part of the urban family, and this was especially true in the market place. There is a case in the leet rolls, where Gerard the spicer, and John and William, Gerard's sons, were fined for holding a market at the gate of the Holy Trinity.⁵³ These men were fined because they were selling their products outside of the gates, which meant that they did not have to pay the tax for entering the market to sell their goods, and therefore, the city did not reap any benefit from their sales. The family was also a place to hide from city and market fees, and the leet rolls show many examples of mothers and fathers who kept their children out of tithing. Examples of this practice include John de Norway, who was fined for harbouring his two sons out of tithing,⁵⁴ and Catherine de Shelfhanger was also fined 12*d.* for keeping her own two sons out of tithing.⁵⁵

Even very young children were involved in their families' market relations. For example, Simon, son of Seman Wrinel, granted a stall to Richard, son of Adam le

⁵¹ Rye, *Deeds of Norwich, 1285-1306*, 37.

⁵² Rye, *Deeds of Norwich, 1285-1306*, 110.

⁵³ Hudson, *Leet Jurisdiction*, 18.

⁵⁴ Hudson, *Leet Jurisdiction*, 34.

⁵⁵ Hudson, *Leet Jurisdiction*, 53.

Gardiner of Sulle; but since it appeared to the bailiffs that Simon was underage, the conveyance was not endorsed by the court.⁵⁶ Also, rather young individuals were involved in other transactions, as seen in an example involving Roger, son of William le Rus of Bokenham, who was sixteen according to his neighbors when he deeded property to William, son of Thomas de Dicleburg, merchant, and Beatrix, his wife.⁵⁷ Children involved in the transfer of family property can be seen in the example of Ralph de Quilter of Norwich and Alice, his wife, and John, their son, to John le Coupere de Estgate of Norwich.⁵⁸ Here an entire family was involved in a property transaction. But the importance of this can be seen in a case where a father, Robert, with an underage son and heir, passed property on to another man, Adam. In doing this, Adam made a written agreement with Robert that his son, who was underage at the time and who had rights to the shop as part of an enfeoffment, upon reaching the age of majority would not "disturb him in his possession or refuse him quit claim to his shop within a year after that event".⁵⁹

However, it was not only the legal and natural children who were cared for in Norwich. Hugo de London deeded property to John and Alice, his foster children, and to Isabella their mother.⁶⁰ There is also the case of William, son of Thomas, formerly rector of the Church of Carlton next to Forhoe, and Matilda, his sister who were children of Thomas by Katherine de Wyndonham, who had enough property to deed to Hugo de London in 1286.⁶¹

⁵⁶ Hudson, *Records of the Norwich*, Vol. II, 7 #XI.

⁵⁷ Rye, *Deeds of Norwich, 1285-1306*, 52.

⁵⁸ Rye, *Deeds of Norwich, 1285-1306*, 58.

⁵⁹ Hudson, *Records of Norwich*, Vol. II, 18.

⁶⁰ Rye, *Deeds of Norwich, 1285-1306*, 27.

⁶¹ Rye, *Deeds of Norwich, 1285-1306*, 8.

Conclusion

Thus, children in medieval Norwich seemed to have had both a strong social, as well as a healthy economic, bond with their parents. Brothers and sisters, while exhibiting the natural signs of sibling rivalry that are still present, looked out for one another and may have even lived together as roommates after leaving their family homes. Neither fathers nor mothers seem to have favored their sons over their daughters. Infanticide was frowned upon, as shown when the community called for action in the cases of Alice Grut and Alice Grym and in the case of the man who killed his concubine's child. Parents were around their children as indicated by the evidence found in the assize records of the city, where mothers were first finders of their dead children and sons were first finders of their dead mothers. Parents also took in their renegade children with the knowledge that they would be in trouble with the rest of the community.

The evidence from the records of the city of Norwich suggest that these medieval urban children were, as a general rule, loved by their careworn and busy parents. There were probably overbearing and loud mothers as well as disobedient and rebellious teenagers, just as now. There are no extensive diaries left behind by these citizens of Norwich during this time, but in looking at the records from this one place in particular, it is quite obvious that parents cared a great deal for their children and wanted them to succeed in life.

CHAPTER IV

TILL DEATH DO US PART: WIDOWS

The situation of the English medieval widow was a tenuous one, to say the least. She could no longer define herself either by her husband or by her father. This chapter will focus on the role that these widows played in the urban environment of Norwich because, while widowers were also important to the changeable nature of the nuclear family, definite examples of their existence are more difficult, if not impossible, to find in the records chosen for this study. The class of these widows in Norwich varied as well in these deeds, but the only indications that can be discerned about their social position from these particular deeds are the few instances where titles such as "knight" and "lady" appear. What these records do show is that widows in medieval Norwich, no matter their class, either sought independence from their children and other kin, such as fathers and brothers, or they chose to remarry into another family. This kind of behavior reinforced the close ties among the small conjugal families, because if a widow chose to disassociate from her children and other relatives, or if she married into another family, in both cases she was adding to the strength of either the family that she was gaining or the one that she left behind. In order to examine the relationship that widows of Norwich had with their families, it is necessary first, to understand the general legal and social position of the medieval English widow. Second, the limitations and usefulness of the records chosen for this study must be realized with a focus on widows in particular. Finally, a look at examples from the records and what they reveal about the roles that widows played in the urban families of Norwich.

A Perilous Situation: Medieval Widowhood

The marriage agreement made between a man and a woman in medieval England automatically entitled the wife to one-third of her husband's immovable property in the event that he should die before she did. This property was called her dower. It was to remain in the control of the widow even if she chose to remarry, but upon her death this property would revert to the heirs of herself and her first husband.¹ This dower was the minimum set by the law and did not necessarily include movable property that the wife had initially brought into the marriage.² Within this dower arrangement, should a husband dispose of some of his property without the permission of his wife, she could choose to reclaim the land after his death because that was a potential part of her dower. Thus, land transactions between married couples almost always included both man and wife because the consent of both parties was needed.

Not only did a woman lose her chattels (movable property) to her husband when they married, but she also lost her legal identity. From the time of her marriage, she became a *femme covert*, which meant that she was only recognized through her husband and that, technically, she lost her independent social, legal and economic identity.³ Once a widow, however, a woman regained her legal personality in the community and before the law, but she also lost her place within a nuclear family unit. Suddenly, she was a property owner with the right to retain that property as long as she lived. The urban widow often had a place within the economic market because of her connections through her husband and possibly her children. Yet in this new position, a widow was faced with legal battles for her property rights, because often heirs would argue over the movable property to which the widow was not legally entitled to under the law of dower. Thus,

¹ This might exclude her rights to the house in which she lived.

² However, the husband could choose to leave his wife more than one-third of his property in a testament that would be executed after his death.

³ Cavallo and Warner, "Introduction" to *Widowhood in Medieval and Early Modern*, 3.

with a “different” or even “marginal” social position as a single woman, the widow was left to fend for herself and possibly for her young children as well.

The situations of old and young widows were obviously very different. Because of the high mortality rate in the Middle Ages, widowhood was fairly common and the death of a spouse was obviously devastating to the structure of the nuclear family. This was especially true for widows who had young children. These women tended to remarry more often because they had a need to support and protect their children. If her husband had been an artisan or tradesman, as most men in the city were, the young widow was probably not as well trained in her husband’s trade as she might have been had he lived longer. Thus, she would have no real established place in the community. This meant that these widows would have been particularly interesting to their families because, with the right persuasion, these newly independent and frightened women, might be willing and were certainly able to part with some of their property. A young widows was also often faced with the possibility of having to deal with her own relatives, because if she lost her husband soon after her marriage, then it was likely that her father was still alive. This could be seen as an advantage if the father had the means and the desire to help his daughter and her possibly even his young grandchildren. However, he might also be in a position to take advantage of her dower property to the potential property due to her children. But regardless of her social position and economic wealth, a widow with young children was left in a very delicate position. An example of this sort of thing happening comes from the deeds of Norwich when the executors of the will of Henry le Porter deeded property to Matilda, Henry’s wife, her unborn infant, and to Alice, his daughter.⁴ This situation could even be the case of a widower remarrying, as Alice is listed as *his* daughter and not *their* daughter; thus Matilda was left to fend for a stepchild and a baby that was on the way. This example reveals the possible complexity

⁴ Rye, *Deeds of Norwich, 1285-1306*, 2.

of the legal situation and the vulnerability of such a widow and it also shows that husbands might anticipate, as in this case, such problems by providing for their widows in their wills.

Older widows with grown children tended to have more independence. If their husbands were involved in a trade, these widows might be able both to run the business and possibly even continue training apprentices after the husband's death. An older urban widow was also often left with rentals in the marketplace, which she and her husband had acquired during their marriage. If a woman had been married for some fifteen years before losing her husband, then it was more likely that her father would have also passed away, which again could hurt or benefit a widow according to her relationship with her family. Yet the family of an older widow might be very tempted to push their aging matriarch aside for the best interest of the family and, if given a chance, might convince the widow to give up her rights or sell her property and move into a small room at the back of the family home to make way for the younger generation.

Therefore, no matter the age of a widow, these women needed to be careful about the decisions they made about whom to trust and from whom to take council. That was why many widows, according to these deeds and records, dealt more with the outside community than they did with their own families. For whether young or old, a widow was still a woman alone in a world that demanded the presence of a man in some shape or form as a protector. As mentioned in the previous chapter about husbands and wives, one of the benefits of medieval marriage was the fact that the nuclear family provided a woman with protection. Once in marriage, a husband assumed the responsibility of protecting his wife. Thus, when he died, the woman was left vulnerable because she was no longer privy to his protection nor could she necessarily depend on her father, since she was not legally his responsibility either. Consequently, the widow was often the most susceptible target for violent crime.

An example of this can be seen in the records of Norwich when Clarisa, widow of Richard de Kebroc, accused Robert de Bromholm, vinter, of breaking her arm with a hatchet on 21 October 1263, so maiming her.⁵ Clarisa pursued the charge from court to court and offered to prove it as a woman maimed against a man or, if the court decided that she was not maimed, as a woman against a man.⁶ Barbara Hanawalt has suggested that often these crimes were really committed to bring shame to the reputation of the late husband, as in the case of Katherine, widow of Stephen Justice, who accused eight persons of feloniously breaking into her house on 22 November 1263, and burning the body of her husband, which at the time lay on a bier.⁷ The idea of burning a dead body instead of burying it was a way for these invaders to show disrespect towards the deceased man, and the fact the wife was present to witness such an event, made the crime all the more demeaning. These examples from Norwich show that widows may have been targeted for their weak social and economic position.

Yet despite their vulnerability within their community, these widows were a very visible part of daily life in the medieval city. It has been estimated that as many as ten percent of households in England were run by widows in the Middle Ages.⁸ This is a considerable number and there were still more who remarried and possibly retained their names. Socially, it seems to have been acceptable for a widow to choose either to remain single or to remarry. James A. Brundage has claimed that

The severe dislocation of the family economy that followed the death of the male head of household made it practically necessary for the majority of

⁵ Hudson, *Records of Norwich*, Vol. 1, 203.

⁶ Hudson, *Records of Norwich*, Vol. 1, 203.

⁷ Hudson, *Records of the City of Norwich*, Vol. 1, 204.

⁸ Henrietta Leyser, *Medieval Women: A Social History of Women in England, 450-1500* (London: Weidenfeld and Nicholson, 1995), 168.

medieval widows to remarry and urgent that they do so at the earliest available opportunity, if they were to salvage anything from the wreckage of family life.⁹

While the tenuous state of the widow and her children on both an economic and a physical level was a harsh reality, there is a considerable amount of evidence that, despite these dangers, many widows chose not to remarry. The deeds from the city of Norwich show several widows who were involved in property transactions who do not seem to have chosen to take another husband. The deeds from this city are an unreliable source for calculating the remarriage rate, but they do show more examples of remarried widows than of single widows. Yet even if a widow chose not to remarry, it was still possible for her to find a place within her community either as a single woman with grown children or as a woman fighting to retain some semblance of a family for the sake of her young children. Thus, even though the widow was considered a marginal member of society because she lived outside the traditional nuclear family, the unmarried widow did not seem to be ostracized for her position.¹⁰ In fact, an unmarried widow, if she was financially secure and able to find protection from relatives or neighbors, could possibly even stand as a respected member of the community because in many instances, widows continued their husbands' trade after his death and these women often held the rights to property in the town's market place. This was especially true of the urban widows who often took on traditionally masculine roles, such as legal guardians of their young children and owners of shops, thereby more firmly integrating themselves within their community and enabling them to retain their independence. However, regardless of the strength of their position in the larger community, the state of widowhood had a great potential to affect her stability of the relationships involved in the nuclear family.

⁹ James A. Brundage, "The Merry Widow's Serious Sister: Remarriage in Classical Canon Law", *Matrons and Marginal Women in Medieval Society*, Robert R. Edwards and Vickie Ziegler, eds. (Woodbridge: The Boydell Press, 1995), 33.

¹⁰ Leyser, *Medieval Women*, 177.

Sources

The deeds utilized in this study are somewhat limited in what they can tell the researcher about medieval widows, because these documents only records who gave property and who received it without sharing where the property was or whether the property was the rental of a stall or a piece of land. Thus, there is no way to determine household size or composition that might give some indication as to the living arrangements of these widows. For example, just because a widow was involved in an exchange of property with her daughter, such as the case of Alice, widow of Bartholomew de Burwood, and Isabel, daughter of Bartholomew, who deeded property to Roger de Costeseye, did not mean that the two women lived together.¹¹ It is also unclear from these deeds the kind of influence that family members had over the decisions of these widows. While a widow may appear by herself in the deed, it did not mean that a son or daughter who might have had a considerable amount of input as to where she put her signature did not accompany her to the courthouse. Also, just because a widow seemed independent because she carried out a transaction on her own, such as in the case of Mary, widow of a barber named Ralph de Letton, when she deeded property to Richard de Stalham and Katherine, his wife, it did not necessarily mean that she was living alone.¹² She might, in fact, be living in the home of one of her children or some other relatives.

Yet despite these limitations, the deeds from this city are also able to tell a great deal about the lives of widows in Norwich. For example, it is possible to witness whom these women chose to deed property to, whether or not the decision was independent or coerced by other members of their families. These deeds also show how many times widows were involved publicly either with family members or attorneys. Sometimes property was deeded to widows alone, and other instances exemplify these women

¹¹ Rye, *Deeds of Norwich, 1307-1341*, 107.

¹² Rye, *Deeds of Norwich, 1307-1341*, 31.

receiving property with sons or daughters. Clear cases of remarriage in which it is possible to discern relationships between stepparents and stepchildren can be seen when Geoffrey Schod of Norwich and Helewysa, his wife, who deeded property along with *her* son to William But and Margaret, his daughter.¹³ These widows can also be found leaving behind endowments where the family was involved. Thus, the deed books, compiled by Walter Rye, show some bare statistical facts, which can be fleshed out by some details provided about these deeds and other records from the *Records of the City of Norwich* compiled by Hudson and Tingey.

On Their Own?: Widows in Norwich

Regardless of their new independent status, the amount of power that widows wielded because of this social position is very questionable. The customals of Norwich were clear about the rights and restrictions placed on their widowed citizens. For instance, if a man could prove that he was legally deeded a piece of property and "if he can show his proper deed...then let the woman be excluded from her petition forever".¹⁴ There is also a section of the customals that indicates why a woman might be cautious about her children's intentions. This chapter states that if a woman takes a tenement into a marriage if she and her husband have no children, she has full power on her deathbed or at any other time when it pleases her to devise freely in her testament the tenement acquired by her as above to whomever it shall please her away from her husband. If they had a child, the woman gave the land to her husband to have the ease and use thereof in his lifetime. On her deathbed, she can give the property to her husband, her children or she can make it stand in peace, but she cannot give the land to anyone else.¹⁵ This means

¹³ Rye, *Deeds of Norwich, 1307-1341*, 22.

¹⁴ Hudson, *Records of the City of Norwich*, Vol. I, 147-8.

¹⁵ Hudson, *Records of the City of Norwich*, Vol. I, 156.

that a widow would have more control if she did not have any children and that once heirs were produced, their rights took precedence over the rights of the widow.

The Norwich deeds indicate that widows were reluctant to deal directly with their families. Out of the one hundred and fifty entries in the deeds between 1285 and 1306 that pertain to widows, sixty-eight transactions took place between a widow acting by herself and a nominally unrelated party. Of course, these unrelated individuals might be cousins or other family members, and the widows acting alone on paper could have been coerced into agreements by outside influences, but the bare facts point to a heavy interaction on this seemingly unrelated level. On the other hand, there are only ten cases where a single widow deeds property to a clearly defined family member. Out of these ten, there are two cases when a widow deeds property to someone with the same last name, one instance where a widow deals with a niece¹⁶, one exchange with a father, and one with a son-in-law; three involve a widow and her daughter and one indicates a widow deeding property to her son.

Within such a small number of deeds in which a widow deals with her family, there is really no set pattern as to why she chose to do so. In the cases where a widow deeds property to her daughter, the mother may have been trying to help her daughter with her dowry. Yet no matter the reason for these exchanges, they represent a small number compared to other transactions and seemingly show the widow's reluctance to deal directly with her family after his death. A further illustration of the widow's interaction with her family is shown by the fact that there are only seven cases where single widows received property from family members. Five of these are instances where a husband has left property for his wife in his will. In one case, a son and his wife deeded property to his mother. Another case shows an instance when two married couples listed as heirs of Goscelin Godale deed property to Goscelin's widow, Mirella. The last case in

¹⁶ Referred to as her brother's child.

this category is of a man named Walter, the son of Robert de Aswardeby, who deeds property to Richard, son of Richard Alunday of Norwich, and to Agnes, the widow of Jouhn de Aswardeby, and their heirs.¹⁷ The deed book is tantalizingly unclear about the details of this exchange, but it is possible that Agnes and Richard are related because they share a last name.

The last examples of deeds that involve a widow and her family are shown in three cases where widows receive property along with other members of their family. One case indicates a widow who was deeded property with her son, one with a daughter, and one instance of a man's will in which he deeded property to his wife and daughter together. However, these are the final examples of instances where widows dealt directly and clearly with members of their own families in the deeds. The remainder of the entries fall into the following areas: nineteen examples of single widows receiving property from nominally unrelated parties, ten examples of widows deeding property alongside attorneys, and three cases of widows deeding property to other widows.

Therefore, out of 150 deeds between 1285 and 1306 that mention widows, only twenty-nine deal with cases in which a widow was directly and obviously involved with other family members. While the deeds cannot answer many questions with one hundred percent surety, it seems that these widows were wary of the intentions of their relatives. Out of these same 150 deeds, it is possible to discern twenty-one clear cases of remarriage, which means that there were some widows who chose to avoid total independence all together by joining a new family and possibly finding protection from a new husband and scavenging relatives.

A specific point that needs to be emphasized about the single urban widow in Norwich, which indicates why she might be wary of her children's intentions, is that she potentially had a considerable amount of property to move around. While not all

¹⁷ Rye, *Deeds of Norwich, 1285-1306*, 21.

husbands left their widows in good circumstances, many inherited a great deal and therefore became important and visible members of the larger community. Five recorded testaments of widows appear in the deeds from this city between 1312 and 1316. While the property that was distributed was not clearly defined in the book of deeds, it is clear that these women owned enough property to worry about its proper distribution after their deaths. An example of one such woman can be seen when Walter le Mercer left property to his wife that must have exceeded the one-third required by law. This property included one tenement in Newport, two shops in Mercery, 15*d.* rent from a ferrier stall, 1*d.* rent from a moiety stall, 12*d.* rent from a stall in the fish market, 12*d.* rent from a Bread Market stall and 5*s.* rent from a shop in the lindrapery.¹⁸ This was a considerable amount of property and gives an example of what a widow might control in the city within the confines of the Market. Another woman named Mirella, who was the widow of Goscelin Godale, was left by her husband in his will two stalls in the fresh fish market, rents on the castle ditch and two shops, two rents in the parish of St. Andrew, two rents purchased of William de Knapeton, one-half of his turves of heather and meat, twenty combs of barley in the name of her dower, two thousand green herrings, two thousand red herrings, one lesser silver cup, a pillow, a mattress, two blankets, a coffer, and a girdle ornamented with silver.¹⁹ Out of all of this property, four of the rents are clearly stated to revert to his heirs after her death, but the rest of the property is hers to deal with as she wishes. Interestingly enough, in the next deed, the heirs of Gosceslin Godale, who were named as two married couples and who are previously mentioned in this chapter, designate to the same Mirella "in dower out of a messuage held by them", the rooms that extend from the wall of the hall with the use of a well as well as free "ingress and egress by the gates of the messuage."²⁰ Although the records are unclear, here it sounds as

¹⁸ Hudson, *Records of the City of Norwich*, Vol. II, 1.

¹⁹ Hudson, *Records of the City of Norwich*, Vol. II, 9.

²⁰ Hudson, *Records of the City of Norwich*, Vol. II, 9-10.

though, despite her gain in property, Goscelin's grown children seems to have given Mirella a small place to call her own. If this is the case, it is not really a surprise that widows were apparently suspicious of their families after the deaths of their husbands. There were also women who not only inherited a great deal from their husbands, but who also accumulated a great deal on their own after their deaths. An example of this kind of situation comes from the example of Letice Payn, because between the years 1307 and 1317 Letice, widow of William Payn of Norwich, was deeded property from no fewer than ten separate parties. In 1316, Letice set up a foundation deed for the Letice Payn Chantries.²¹

Yet while Walter le Mercer may have left his wife in a secure financial position, and while Letice seems to have been more than taken care of by her community after her husband's death, other widows were often left to fight for their property rights. Henrietta Leyser notes the restrictions put on the dowers of these medieval widows, as she sites examples of widows having to defend their rights to these properties and the freedom to trade them with others.²² However, not all widows faced such opposition from their families to gain rights to their husbands' property. Judith Bennett has claimed that "widowhood extended the public power of women" because they were able to trade independently and sell property, and they were also held responsible for the actions of their dependents.²³ These widows took control of households and who often interacted with their kin and neighbors in a capacity that was somewhat comparable to that of their late husbands. Bennett goes on to state that "medieval Englishwomen...were often powerful, but were never authoritative"²⁴ because even though they were able to trade

²¹ Rye, *Deeds of Norwich, 1307-1341*, 72.

²² Leyser, *Medieval Women*, 170.

²³ Judith M. Bennett, "Public Power and Authority in the Medieval English Countryside" *Women and Power in the Middle Ages* eds., Mary Erler and Maryanne Kowaleski, 23.

²⁴ Bennett, "Public Power and Authority", 29.

property independently, they were unable to participate in running town government or politics.

However, even though the deeds from this city offer little detail into the relationships between widows and their families, they do offer some hints as to their interactions with each other. Since English law required that the widow receive one-third of her husband's property, these women continued to play a major role in the distribution of family property. Therefore, within the deeds, many widows can be found involving themselves in property transactions alongside their children and relatives. Most of the examples found in the Norwich deeds show widows acting with their sons, such as in the case of Albreda, widow of John le Lumin, and Robert le Peynt, her son, when they deeded property to Richard Shoepedham, a candler.²⁵ Some of these records make it clear that these children were of both parents, such as the case of Gerbergia, widow of Thomas de Lindeseye, and Philip, their son.²⁶ However, there were also cases where widows got involved in transactions with their daughters, such as Sabina de Wallepol, Henry de Bukkeskyn, and Rosa, his wife, who was the daughter of Sabina, when they deeded property as a group to Henry, the parson the church of Bauseye.²⁷ Althina, widow of Richard Coslany, who took part in a transaction with Alice her daughter and John Fox, husband of Alice,²⁸ and John le Stabler or Norwich, Alice, his wife, and Ivetta le Writte of Norwich, who is listed as the mother of Alice, were also involved in property transfers.²⁹ Still other examples show these widows involved in transactions with their

²⁵ Rye, *Deeds of Norwich, 1285-1306*, 106.

²⁶ Rye, *Deeds of Norwich, 1285-1306*, 85.

²⁷ Rye, *Deeds of Norwich, 1285-1306*, 38-39. There are examples in the deeds that show daughters as heiresses who dealt with their widowed mothers in property transactions. One such case involves Agnes, widow of Walter de cotton, and Joan his daughter and heiress who deeded property to Hervey Flint in 1313. Rye, *Deeds of Norwich, 1307-1341*, 45.

²⁸ Rye, *Deeds of Norwich, 1285-1306*, 80.

²⁹ Rye, *Deeds of Norwich, 1285-1306*, 41.

married sons, such as when Roger Beaumund and Beatrix, his wife, along with Alice de Wymundham, Roger's mother, deeded property to Thomas Schaftesbyri, merchant, and Amabilia his wife.³⁰ This instance shows the interaction that an older widow had with her grown child and his wife.

Others cases seem to indicate that these widows were dealing with their stepchildren, as when Isabel, widow of Roger de Tudenham, and Robert, *his* son, can be found deeding property.³¹ Since Robert is listed as *his* son and not *their* son, it could indicate that Robert was Roger's son from a previous marriage. There is also the case of Anastasia, widow of Richard de Melton, who deeded property along with Richard, *her* son, with no indication that he is the biological son of her deceased husband.³² Widows can also be found dealing with their daughters, when Agnes Frend, widow of John, son of Robert Faber, deeded property with Petronilla, *her* daughter.³³ This shows the Agnes' relationship to both her father-in-law and to *her* daughter. It is unclear what the living arrangements of these families were, but regardless of whether or not they were living in the same house, they continued to be involved with one other.

There are also cases where widows and their families received property from others. This shows the vulnerable position that these women were in and how the community sought to help them. Many of these widows are recorded as having children under their care, such as the case where Robert Fox of Themelthorp and Matilda Thelland his wife deeded property to Agnes, widow of [name unreadable] de Langele, and John her son.³⁴ There is also the example of Nicholas de Carleton of Norwich and Katherine his wife, who deeded property to Margaret, widow of John de Morlee, a tanner, Joan, her

³⁰ Rye, *Deeds of Norwich, 1285-1306*, 46.

³¹ Rye, *Deeds of Norwich, 1285-1306*, 16. (my italics on *his*).

³² Rye, *Deeds of Norwich, 1285-1306*, 2.

³³ Rye, *Deeds of Norwich, 1285-1306*, 110.

³⁴ Rye, *Deeds of Norwich, 1285-1306*, 68.

daughter, and Margaret, sister of Joan in Ironmonger Rowe.³⁵ This particular example shows a considerable deed of property, as the Iron Mongerre Rowe would be particularly valuable land in the marketplace. Another interesting example of this kind of exchange comes with the case of Edmund de Derham, a woolman, and Joan, his wife, who deeded property to Nichola, widow of Adam Beneyt, and Egida, their daughter, and John Qwyt.³⁶ It is not clear who John Qwyt is or how he is related to the widow and her daughter, but it is possible that he was a protector who lived with the two or a relative of some kind. Also, the fact that Thomas de Surlingham and Johanna, his wife, deeded property to Margaret Waryn of Dymmok, Hugert, her son, and Anice, her daughter, could possibly indicate that Margaret was a single mother with two children under the legal age.³⁷

The Norwich deeds also show that widows were valued in a trade, such as the case of Bartholomew de Tiveteshale le Especer, who married Agatha, who was formerly the wife of Adam le Especer.³⁸ Katherine, widow of Stephen Goldsmith of Norwich, deeded property to Margery, daughter of John Goldsmith of Norwich.³⁹ This kind of entry indicates either that the two women were related or that they were merely both part of the goldsmith trade, and thus the widow felt an obligation to help a fellow tradesperson. The case of Alice, who was the wife of Richard de Forneet, who was fined because she and her servants bought one quarter of wheat outside the town, meeting it on the way to the king's market, and carried the corn to the mill and there got it ground to flour, whereby the bailiffs lost their toll, shows that widows did indeed understand the market and used it to their advantage.⁴⁰

³⁵ Rye, *Deeds of Norwich, 1307-1341*, 2.

³⁶ Rye, *Deeds of Norwich, 1307-1341*, 44.

³⁷ Rye, *Deeds of Norwich, 1285-1306*, 58.

³⁸ Rye, *Deeds of Norwich, 1285-1306*, 29.

³⁹ Rye, *Deeds of Norwich, 1307-1341*, 72.

⁴⁰ Hudson, *Leet Jurisdiction*, 57. This crime was officially known as forestalling.

Yet not all widows chose to remain single. As previously mentioned, there are twenty-one clear cases of remarried widows between 1285 and 1306. An example of such a documented case would be listed is Roger Benjamyn and Editha, his wife, formerly the wife of John Hahill.⁴¹ However, there are also thirty cases in the deeds from 1285-1306 that list wives with different last names from their husbands, such as the case of John Payn, sutor, and Celcilia Aldebery, his wife.⁴² This kind of documentation could mean that the woman was a widow who had retained the last name of her previous husband in her second marriage. In the case of remarriage, many times stepchildren had to be taken into account, and this has been discussed previously. Thus, if the widow had adult children, she was able to stay involved in her family as she partook in the deeding of property. According to medieval law, this kind of activity is no surprise, because the wife and children were probably joint holders in some of the deceased husband's property, for when the wife received one-third of his property, his children also received a third. But this involvement shows that widows were still included in their families' businesses in some way.

The strength of the parent/child relationship also becomes clearer when a widow is involved in such deeds. These widows can be found deeding property to both their single and married children. Most of the cases with single children involved property deeded to sons, such as in the cases of Mazelina, widow of Odoatte Bother, to John Ode, her son,⁴³ and Cecilia, widow of Willaim Fisch, to Stephen her son.⁴⁴ However, one widow dealt with her single daughter when Isabel, widow of Martin de Netisherde le Barbour, deeded property to Beatrix, her daughter.⁴⁵ There are also the examples of

⁴¹ Rye, *Deeds of Norwich, 1285-1306*, 8.

⁴² Rye, *Deeds of Norwich, 1285-1307*, 104.

⁴³ Rye, *Deeds of Norwich, 1307-1341*, 56.

⁴⁴ Rye, *Deeds of Norwich, 1285-1306*, 90.

⁴⁵ Rye, *Deeds of Norwich, 1285-1306*, 112.

Avelina, widow of John Lindraper, who deeded property to Margaret, her younger daughter⁴⁶ and Matilda, widow of Hubert de Morle, who also deeded property to Emma, her daughter.⁴⁷ These widows chose to use their inheritances to provide for their children. Since these widows acted alone without the permission of a male figure, they were probably single and could very well have been living on their own.

There are also two cases where a widow deeded property to married children. Joan, widow of Roger de Berreford of Norwich, deeded property to Ralph, her son, and Avaline, his wife, in 1315.⁴⁸ Etheldreda de Morle, widow of Hugh de Rokelund, deeded property to William de Baketon and Margaret, his wife, Etheldreda's daughter.⁴⁹ This could indicate that a widow sought protection from her children and their families in exchange for property, or it could mean simply that the widow wanted to offer her children and possible grandchildren more property to help their families grow and succeed.

Conclusion

The instances in which widows deal with nominally unrelated individuals is impossible to delve into with the records used in this thesis because of their scant content. However, it is significant to note that more than twice as many entries deal with this outside community as with clearly indicated relatives. Socially, these women were tentatively accepted in their roles of "power" as widows. Yet at the same time they were also in a very delicate social position as single women in a man's world. Remarriage was probably preferable for young widows, but not necessarily always chosen. The deeds from Norwich demonstrate that the medieval widow was an active force in the

⁴⁶ Rye, *Deeds of Norwich*, 1285-1306, 77.

⁴⁷ Rye, *Deeds of Norwich*, 1285-1306, 27.

⁴⁸ Rye, *Deeds of Norwich*, 1307-1341, 59.

⁴⁹ Rye, *Deeds of Norwich*, 1307-1341, 32.

marketplace and in the home. She seemed to have been involved in some activities with her children, but to a certain extent, this kind of interaction was legally necessary because of the amount of her husband's property that a widow held.

Thus, from the cases recorded in these deed books, widows seem to have been wary of the intentions of their children and either sought total independence from their families or they remarried into another household. This in turn could have strengthened the relationships between the conjugal family members in that, especially when dealing with widows with grown children, these women chose not to interfere with the family business if at all possible, which gave the individual families more cohesion since they had less interference from outside and extended relatives. The remarriage of these widows also recreated families that had been torn apart by the deaths of their husbands.

CHAPTER V

LOVE THY NEIGHBOR: EXTENDED FAMILY AND THE OUTSIDE COMMUNITY

The primary objective of this thesis is to demonstrate how relationships within the conjugal families of medieval Norwich were the primary mode of identification for the individuals of whom they were composed and upon whom they depended for their social and economic support. Thus far, the family members and their relationships to one another have been examined. We must now delineate the network of extended family and outside community in which these nuclear families functioned. The households, and therefore the families, of this time were not private institutions. Urban dwellings often served dual purposes of home and business, which meant a constant flow of business patrons as well as workers in and out of the household. However, this "open house" did not mean that the conjugal family relationships were any less important. This chapter will first generally define the components of both the extended family and the outside community. It will also look at the sources used to show the involvement of these two entities with the nuclear family. And secondly, this chapter will examine specific examples of each of these groups that appear in the records from Norwich, which show how they interacted with one another and with the nuclear families of the city.

Sources

The extended family network of the Middle Ages was much closer than it is in modern times simply because such relationships were often vital for the social and economic success of the family. The importance of the nuclear family within the larger network of kinship relations is made evident from the onset of such a study because, in the records from Norwich, nuclear family relations are clearly defined, while the

connections between these families and their extended kin remain vague and elusive. The two main primary sources used in this thesis, the leet rolls and the deeds from the city of Norwich, provide a considerable amount of information on these kinship relations, but they also omit much. While nuclear relationships are often clearly defined (John, son of Peter), it is much less common to find nieces, uncles and "kinsmen" specified as such. It is also difficult to pinpoint these family relations with the outside community, because these connections are even harder to distinguish in the records chosen for this research project. The leet rolls include incidents where these extended kin interact with nuclear families, but the entries are short and do not explain fully the relationship that was shared between the two. These records, both the deeds and the leet rolls, do provide information about naming patterns that show the separation that existed between the conjugal family and their extended family members. It is also possible to discern the importance of inter-trade relations between members of the same family and those of the outside community. Thus, despite their sparse appearances in these particular sources, the family network of in-laws, nephews, nieces, grandparents, and "kinspeople" can be studied in their relationships to one another and to the nuclear families of the city.

The "outside community" that will be discussed in this chapter includes those who were involved with the nuclear families on a daily basis on the marketplace. Community was a vital aspect of medieval urban life, because it was a support system upon which everyone depended. For example, the only police force that existed in Norwich in the Middle Ages consisted of the four bailiffs who were in charge of the four leets in the city. Other than that, the citizens depended on their neighbors to protect them and defend them in time of need. The records from Norwich, compiled by Hudson, provide some examples of legal cases where the concept of community was important to the criminal trial procedure. Therefore, it was not only the responsibility of the members of the community to protect one another, but it was also these people who vouched for

legal ages of heirs and who decided whether or not a citizen's reputation was good or bad.

David Herlihy has noted strengthening of the patrilineal system within the nuclear family during the Middle Ages. Herlihy also recognized the change in inheritance patterns that began to take a dominant role in family life in the early Middle Ages, a transformation of thought that was, in part, begun because of the decree made by Pope Alexander III that technically took away the rights of the family to have any influence over the marriage of their children.¹ Herlihy claimed that because the family was now focused primarily on the male line of descent, once a daughter married into another family, she cut most of the ties between herself and her natal family, which allowed both the new wife and her children to give all of their allegiance to the family of their male head of household.² This meant that the nuclear family unit became much stronger and more defined as an group independent from its extended relatives.

Beatrice Gottlieb has come to some interesting conclusions about the medieval family and its presence within the household.

The shape of households in the past, even in the past of five centuries ago, was not radically different from what it is today. The household of relatively few members, with a nuclear family at its core, was familiar to almost everybody...What was different about membership in households of the past was that it was so transient...Impermanence and discontinuity were common. Structures were ragged rather than neat, the result of constant erosion from death and accretion from marriage. In addition, there was the presence almost everywhere of nonrelated members who came and went in accordance with the needs and capacities of the house.³

¹ David Herlihy. *Medieval Households* (Cambridge: Harvard University Press, 1985), 82.

² Herlihy. *Medieval Households*, 82.

³ Gottlieb, *The Family in the Western World*, 22-23.

While Gottlieb's study was more focused on the families of the later medieval and early modern period, her analysis of the nuclear family and its role in the larger household and community is very interesting.

David Nicholas, in his study on the medieval families of Ghent, has also addressed the role that the extended family, or clan, played in the lives of the nuclear families. Nicholas has argued that, as long as the nuclear family remained intact, the power of the extended family was limited. However, if one or both parents dies, this network of kin usually stepped in to "help" the surviving spouse and children.⁴ While this thesis cannot compete with the detailed analyses of Herlihy, Gottlieb, and Nicholas, instances in the records from Norwich, show patterns of involvement of the nuclear family with their kinship networks and with the outside community.

Two Worlds Collide: The Nuclear Family and the Kinship Network

The records from Norwich show the importance of the interaction among members of the nuclear family as opposed to a "household" concept and the external entities of kin and neighbors. The deeds from this city clearly define the relationships among the members of the nuclear family. Not only did these documents clearly state the relationships in terms such as mother, father, sister and brother, but they also show how the nuclear family often recognized itself by its naming patterns, which also distinguished members from more extended kinfolk. For instance, fathers often named their sons after themselves, and daughters often took their mothers' names, so that there are many examples of Alice, daughter of Alice, and John, son of John. While it may seem confusing to the modern reader, it was a way in which the family strove to keep its own identity. These got to be complicated, however, as a few popular names were

⁴ Nicholas, *Domestic Life of a Medieval City*, 208.

perpetuated by many different families. Both of these patterns were important ways in which the nuclear families defined itself vis à vis their extended families.

There are many instances in the deeds and in the other records from Norwich where there is no way to discern the relationship between the parties involved. However, sometimes kin relations were recognized in definite terms. This section on the extended family will look at examples of affinal relationships, nieces and nephews, kinsmen and kinswomen, grandparents, the importance of the family in the marketplace, as well as individuals listed in the records who shared the same last name but were not clearly defined as relatives.

Marriage was an important step in the lives of the citizens of Norwich. New family members had to be considered in family property actions, as often daughters and sons owned portions of this family land; and once they married, the decisions that they made as a married couple could potentially affect their parents. Some affinal relationships seemed to have been good, as in the case of a testament made by Avicia, widow of John de Norwich, who deeded property to Hugh de Dunston, who married her daughter.⁵ There are other cases in the deeds where, for example, widows choose to deed property to their married children, as in the case previously mentioned when Etheldreda de Morle, widow of Hugh de Rokelund, deeded property to her daughter, Margaret, and William de Baketon, Margaret's husband.⁶ However, other cases show problems between family members. There are two cases in the leet rolls where an in-law was brought up for a fine. John Godesman raised the hue on his brother-in-law⁷, and the wife

⁵ Rye, *Deeds of Norwich, 1285-1306*, 77.

⁶ Rye, *Deeds of Norwich, 1307-1341*, 32.

⁷ Hudson, *Leet Jurisdiction*, 16.

of John de Thwaite the elder and John de Twhaite the younger raised the hue upon each other.⁸ These examples show how the external kinship circle had some internal interaction with one another and how two generations of families, as in the case of the de Thwaite incident, had an interesting and controversial relationship.

There are a few appearances of nephews and a one of a niece in the Norwich deeds. There are cases where the nephew was the recipient of property such when John, chaplain, rector of Aldeburgh, deeded property to Geoffrey de Earlham, his nephew.⁹ A more interesting example shows a glimpse of a possible personal relationship between a nephew and his uncle, when John, son of Adam de Norwich, deeded property to William Bedingham, his nephew, for his advancement.¹⁰ There are also cases where men are recognized, not as sons or husbands, but as nephews, such as Simon de Penteneye, who was recognized in a deed as the nephew of Roger de Penteneye when he deeded property to a merchant named Robert de Lopham in 1298.¹¹ In the leet rolls, there is also an instance where Alexander, who was fined for forstalling, was recognized as the nephew of Alexander Wyndel.¹² The last example of a nephew comes from the leet rolls as well when Geoffrey the chaplain, who was fined for having windows that were a public nuisance, was recognized as the nephew of Master Godfrey de Norton.¹³ However, nephews were not the only ones mentioned as Agnes, daughter of Thomas Cuthe of Norwich, who was the widow of Adam le Cirer, deeded some property in the street of

⁸ Hudson, *Leet Jurisdiction*, 13.

⁹ Rye, *Deeds of Norwich, 1307-1341*, 47.

¹⁰ Rye, *Deeds of Norwich, 1285-1306*, 36.

¹¹ Rye, *Deeds of Norwich, 1285-1306*, 64.

¹² Hudson, *Leet Jurisdiction*, 17.

¹³ Hudson, *Leet Jurisdiction*, 22.

Nedham to Bartholomew de Tiveteshale le Specer and Johanna, his niece.¹⁴ One uncle was also mentioned, when Stephen, son of Robert But, deeded property to Willaim But, his uncle.¹⁵ However, these are the only examples in these Norwich deeds and leet rolls that show this kind of relationship within the external family.

Other examples of extended family relationships include two instances in the deeds from Norwich where the term "kinsman" or "kinswoman" is used. Sir Alan de Freston, late Archdeacon of Norfolk, deeded property to Edmund de Mikelfield, his kinsman.¹⁶ William de Norwich, rector of the Church of All Saints of Melton, willed Emma, daughter of Matilda de Catton, his kinswoman, a 19s. rent receivable from the Abbot of St. Leonard.¹⁷ Since both of these examples have to do with churchmen, it is uncertain as to how often the term "kinsperson" was used in everyday language.

The grandchildren/grandparent relationship is a more elusive object of study. There is one instance of a grandparent or grandchild being listed as such in the records: In 1297, Robert Chese of Salisbury, son of John, son of John Chese of Norwich, granted to Peter de Bumstede and Katherine, his wife, the annual rents and tenements¹⁸ which Margaret Chese, his grandmother, holds for dower of his inheritance and which she fully rendered to Peter and Katherine. Instead, one more often finds instances such as Constantine, son of Hugh, son of Hugh de Sithingge.¹⁹ Granddaughters are also mentioned, in the case of Christiana le Skermishchur of Fornesete, daughter of Avicia,

¹⁴ Rye, *Deeds of Norwich, 1285-1306*, 24.

¹⁵ Rye, *Deeds of Norwich, 1307-1341*, 187.

¹⁶ Rye, *Deeds of Norwich, 1285-1306*, 60.

¹⁷ Rye, *Deeds of Norwich, 1285-1306*, 80.

¹⁸ Hudson and Tingey, *The Records of the City of Norwich* Vol. II, 257.

¹⁹ Rye, *Deeds of Norwich, 1285-1306*, 80.

daughter of Geoffrey.²⁰ Grandchildren were also traced through both male and female lines, as is evident in the case of Thomas de Cause, who was recognized in a deed from 1287 as being the son of Mabill, who was the daughter of Isabella de Cauz of Norwich.²¹

Another especially interesting case dealing with these third-generation relationships arises in 1290, when Roger de Tudenham and Isabella, his wife, deeded property to Henry le Rus and Roger, his son (by Sibilla, daughter of Roger and Isabella), for their advancement.²² Here, a set of in-laws deeds property to their son-in-law and their grandson. This could be a case where the wife has passed away, as she is not also included in the deed. Grandparents were indeed alive to see their grandchildren, as can be witnessed in such cases as Peter de Bumpstede and Emma his wife, who deeded property to John de Bumpstede, son of the said Peter, Joan, his wife and Peter, their son.²³ Here one can see evidence of the naming pattern, as the grandson is named for the grandfather, as well as proof that both grandparents were alive to see and interact with their grandson.

The Family in Context: Nuclear Relationships and the Outside Community

Before the nuclear family's relationships to their neighbors can be discussed, it is first necessary to give the reader a better idea of who these "neighbors" were. Once in the heart of the marketplace in Norwich, a market that even in modern times remains a bustling place full of stalls and vendors, with whom were the citizens likely to interact on a daily basis? Naturally, there were the familiar faces of neighbors and family, both extended and immediate, but there were also the faces of strangers. Some of these

²⁰ Rye, *Deeds of Norwich, 1285-1306*, 11.

²¹ Rye, *Deeds of Norwich, 1285-1306*, 11.

²² Rye, *Deeds of Norwich, 1285-1306*, 33.

²³ Rye, *Deeds of Norwich, 1307-1341*, 122.

strangers were from nearby towns and villages, while others came from places like Bruges²⁴, Norway²⁵, and Paris²⁶. In the leet rolls, these people were duly recognized for their position as “outsiders” and were viewed with obvious suspicion. For example, John de Causton was fined because he permitted foreigners to rent a shed from which they “secretly” sold items.²⁷ In other instances, these non-citizens simply remain anonymous, as if their names and identities paled next to the importance of citizens. This kind of anonymity can be seen in examples such as when Adam de Catton found nine drowned sheep that were later claimed by some strangers²⁸ and when William Culyn “drew blood” of a certain woman, a stranger, whose name the presenters did not know.²⁹

Yet, despite the presence of these strangers, the familiar faces of friends, fellow tradesmen, and family were the primary patrons of the Norwich market. Families of artisans were heavily involved with one another, and their trades could almost be assumed as a part of their extended families. An example of this comes from the deeds in 1299, when Simon de Elmham, a tanner, Berta, his wife, and Roger, their son, deeded property to Henry, son of John de Wroxham, a tanner, and Katherine, his wife.³⁰ Many of these exchanges involved husbands and wives who exchanged property and in the same business. For example, Thomas Samoun of Norwich, a fisher, and Isabel, his wife, deeded property to Ulfketel de Fransham, a fisher, and Alice, his wife.³¹ Another example of an in-law can be seen when William de Rollesby and Margaret, his wife,

²⁴ Rye, *Deeds of Norwich, 1285-1306*, 49.

²⁵ Rye, *Deeds of Norwich, 1285-1306*, 9.

²⁶ Rye, *Deeds of Norwich, 1285-1306*, 22.

²⁷ Hudson, *Leet Jurisdiction*, 38.

²⁸ Hudson, *Leet Jurisdiction*, 2.

²⁹ Hudson, *Leet Jurisdiction*, 2.

³⁰ Rye, *Deeds of Norwich, 1285-1306*, 78.

³¹ Rye, *Deeds of Norwich, 1307-1341*, 37.

deeded property to John de Worthstede, a tanner, who was the son of Simon le Spenser, and Roger de Tivetshal, a tanner, his father-in-law.³² Another example of this kind comes from 1324, when Roger the smith, who was the son of Thomas the smith, and Agnes, his wife, deeded property to Bartholomew the comber.³³

There were also transactions that took place between people who shared the same last name, but whose relationship to one another is unclear. An example can be found in 1335-1336, when Agnes, widow of William de Kerkby, apothecary of Norwich, and John de Stanhowe, a clerk, who were executors of the will of William de Kerkby, deeded property to Nicholas de Kirkeby, apothecary, and Alice, his daughter.³⁴ In this case, it is more likely that the two apothecaries, whose last names are alike, were probably both from a place called Kirkeby instead of being related by blood, since no relationship was indicated. Another such example arises when Richard Emelot of Norwich and Margaret, his wife, and William Emlot and Agnes, his wife, deeded property to Adam Dichingham, a cordwainer.³⁵ two couples who had the same family name joined together to deed property to another member of the community, which means that the four were probably related in some way since they apparently have joint ownership of the property that they are deeding. There is also the case where Simon, son of Roger de Penteneye, deeded property to Ralph Penteneye, a draper, in the Market.³⁶

The community used its knowledge of fellow citizens to monitor the market activity that these family sought to perpetuate. The leet rolls indicate a sharp awareness of the marketplace, and citizens used this knowledge to prosecute those who tried to take

³² Rye, *Deeds of Norwich, 1285-1306*, 18.

³³ Rye, *Deeds of Norwich, 1307-1341*, 143.

³⁴ Rye, *Deeds of Norwich, 1307-1341*, 189.

³⁵ Rye, *Deeds of Norwich, 1307-1341*, 4.

³⁶ Rye, *Deeds of Norwich, 1285-1306*, 82.

advantage of it. For example, Geoffrey de Lenn was fined for having sold an ill-tanned hide to Richard de Knapeton, junior. The fact that they jury chose to include the fact that Geoffrey was "wont to do so" shows that he had been guilty of this crime before, and the community sought to stop him from doing it again.³⁷ The same community judgment can be seen when Peyte, servant of Cassander de Heacham, is fined for the same selling of ill-tanned hides, and is wont to do so commonly.³⁸

The outside community, composed of neighbors and fellow citizens, was also heavily involved in the everyday lives of these urban nuclear families. Once a family was considered a part of a community, its members were automatically entitled to the protection that such inclusion called for. This section of the chapter will focus on the kind of protection that was given to the family by the outside community and on the importance of community knowledge of the family and its members.

The protection provided by the outside community was an important consideration for the nuclear families outside the marketplace as well, because since they were accepted as citizens in this larger entity, they were offered the security that came along with such a citizenship. An example of how this sense of community was retained comes, again as it did in the marketplace, from the evidence that suggest that strangers to a city were not particularly welcomed and the citizens did not tolerate their criminal deeds. For example, if a stranger robbed a citizen, the jury set to hear his trial would be made up of citizens and would not see any reason to dismiss the stranger's crime. The customals of Norwich address the issues of strangers in the city:

No stranger shall be entertained in the city beyond one day and one night unless his host is answerable for him and if by any chance for debt and transgression done in the city the stranger seeks flight, whereof a suit is made against him, forthwith let the goods and chattels in the hands of his host be laid under prohibition by the Bailiffs and view had of them what and how much is

³⁷ Hudson, *Leet Jurisdiction*, 10.

³⁸ Hudson, *Leet Jurisdiction*, 10.

there bound, and let them in no wise be delivered up until such stranger has attached himself to stand to right and to make satisfaction to him to whom he is bound according to what by law and custom of the city he can show against him that he ought to satisfy himself thereof.³⁹

The fact that strangers to the city were limited to only one day within the city walls, along with the heavy responsibility that the host bore for his or her guest, is proof that these foreigners could not be trusted and that they were held in great suspicion by the citizens of Norwich. Another example of the kind of protection provided by the community can be seen in 1264 when William le Alblaster and others set fire to a gate, which caused John de Belaya's house to burn down. In the process of doing this, le Alblaster and his fellow arsonists cut the bell cords of the neighboring churches so that people would not come to help extinguish the fire.⁴⁰ The fact that the arsons knew to cut the bell cords shows that community help was called for in this way and that results from such a summons were answered, thereby providing protection of citizens by their fellow citizens. Thus, as a part of this outside community, the family was given many advantages.

Barbara Hanawalt has done extensive research on the rural communities of East Anglia and has come to some interesting conclusions about the community and the family. She states that most crimes committed in this area of England took place between members of a family and the outside community.⁴¹ Thus, these crimes took place outside the family, which is important because it shows that strong family relationships were in place at this time. In any case, during the process of hearing these crimes, the jurors were very important to the trial process because they often based their decisions on their common knowledge of the individual.⁴² For example, Roger le Cobeler and Alba, his

³⁹ Hudson and Tingey, *Records of Norwich*, Vol. I, 188.

⁴⁰ Hudson and Tingey, *Records of Norwich*, Vol. I, 206.

⁴¹ Hanawalt, *Of Good and Ill Repute*, 6.

⁴² Hanawalt, *Of Good and Ill Repute*, 3.

wife, were taken on the indictment made before the bailiff of Norwich for breaking into the house of Lenote of Aylsham and for stealing goods worth 30s. and for breaking into the house of Willima Forncett of Norwich, where they stole bread worth 44*d*. In this case, the jury inquired about these allegations, found that Robert and Alba were of "good repute", and, as a result, acquitted them of their crimes.⁴³ Another example of this kind of community knowledge can be seen when Richard Corbyn of Newton, Robert le Heyward of Topcroft and Robert Gerald of Cotessey were taken for the burglary of the house of Thomas Sparwe in Norwich, where they stole three and a half coombs of malt worth 16s. Richard and Robert le Heyward were convicted and were to be hanged. However, the jurors decided that even though Robert Gerald had aided Richard and Robert le Heyward in the burglary, he was only eleven years, and so they chose to acquit him of his crimes⁴⁴. Thus, because of the close nature of the medieval city, communal knowledge was vital in almost every case brought before the legal courts.

Examples of the outside community can be seen in the leet rolls from the city. Roger Wortes and his wife of habit, raised the hue wrongfully upon their neighbors, to the terror of their neighbors and to the great scandal of the whole people.⁴⁵ This shows the community intolerance of such deeds. Another example of this can be seen in the case of Bartholomew Provyns, because he was wont to raise the hue wrongfully on his wife and others who were strangers.⁴⁶ Here, the community demonstrates the limits of its tolerance of misbehavior by a legitimate citizen. This community tolerance was important because a citizen's reputation was a vital part of his or her connection with their neighbors. For example, the community knowledge that a certain Robert Fowler

⁴³ Hanawalt, *Crime in East Anglia*, 116-117.

⁴⁴ Hanawalt, *Crime in East Anglia*, 117.

⁴⁵ Hudson, *Leet Jurisdiction*, 35.

⁴⁶ Hudson, *Leet Jurisdiction*, 53.

“spent much and had nothing to spend from” along with the fact that he “roved around at night”, led the community to think ill of him, which led jurors to determine “that it must have been he that stole John de Ingram’s goods from his tavern”.⁴⁷ It does not seem as though the jury had any evidence to go by except this man’s bad reputation for night-roving and spendthriftiness. Another example of this kind is found when it was presented that Henry de Campesse was a thief who was held in suspicion because he clothed himself well, and nobody knew the source of his wealth, and that he too roved about at night.⁴⁸ The extent of community knowledge and tolerance can be witnessed in the case of Richard Cokard, who was a thief and had been a thief for seven years, who was “wont to steal geese and fowls”.⁴⁹ And finally, a good example of how neighbors were involved in the court cases of families comes in when Roger, son of William le Rus of Bokenham, who was only sixteen years old, was allowed to deed property to another man and his wife, because William’s neighbors testified that he was of that age and therefore able to carry out such an action legally.⁵⁰ All of these examples show the extent to which community knowledge affected the everyday lives of the citizens of Norwich.

The next question that needs to be asked with regards to the family and its place in this larger network of kin and neighbors, is what the households were like and how they were considered to be transient? While it is impossible to determine household content in this city with any degree of absolute certainty, the leet rolls (if not the calendars of deeds) provide some indications of the composition of these urban households. One of the most interesting things to note from these records with regard to the household, is that women were considered the heads of some households. For

⁴⁷ Hudson, *Leet Jurisdiction*, 16-17.

⁴⁸ Hudson, *Leet Jurisdiction*, 5.

⁴⁹ Hudson, *Leet Jurisdiction*, 5.

⁵⁰ Rye, *Deeds of Norwich, 1285-1306*, 52.

example, there are seven instances, such as when William de Sessions made hamsoken at the house of Agnes de Redenhall, where it would appear that the household was led by a woman.⁵¹ Whether or not Agnes lived by herself is questionable, but another interesting example comes from the case in which William de Denham was fined for making hamsoken, or breaking into, the house of Alice de Causton and for killing the said Alice's dog in the process.⁵² Thus, it seems as though there was some diversity in household leadership in Norwich.

Further evidence about household content comes from a less violent sort of crime. One of the more frequent complaints from the community arose from individuals who avoided becoming a part of a tithing group within the subleets of the city. Every male citizen over the age of twelve was required to belong to a tithing group. These groups did not include women or clerks, and they were responsible for the protection of the other members of their group as well as responsible for reporting their transgressions. There are many cases in the leet rolls where citizens were caught "harbouring" individuals who were not legal inhabitants of the city. Sometimes these were relatives and sometimes they were not, but in looking at the evaders of this tithe, it is possible to see instances of household members listed together in the city records. For example, out of the twenty-four cases of people listed as being "out of tithing", twelve were lodging with non-relatives as in the case where John Blakenly, who was not in tithing, was found lodging with Robert Ward⁵³; nine instances were cases where relatives were involved with one another, as in the case of Seman de Blythbrugh, who was fined for harbouring his son John⁵⁴; and three cases where masters were found harbouring their servants. One of these

⁵¹ Hudson, *Leet Jurisdiction*, 3.

⁵² Hudson, *Leet Jurisdiction*, 48.

⁵³ Hudson, *Leet Jurisdiction*, 4.

⁵⁴ Hudson, *Leet Jurisdiction*, 34.

examples, a case where a fishmonger named Ranaulph was accused of harbouring out of tithing two of his sons, a cook, and a taverner, offers an example of the diversity that might have been found in a medieval urban household.⁵⁵ Other examples show men who had been living in the city for quite a while, such as Robert the Dauber, who had lodged in the city for three years with Hamon de Hethersett.⁵⁶

There are also three cases where masters are listed as having servants out of tithing. One example of this was when Roger Shod was fined for harbouring his two servants, both named Stephen⁵⁷, and when Adam Friend is listed as having been with his servant named Adam for two years.⁵⁸ The master/servant relationship was an important one, because in a time when there were many apprentices and servants in the household, it was only natural that close relationships might form between the two. And the possibility that those servants were related to the master in some way makes examples such as the one in which a master deeds property to his servant for his advancement comes as little surprise.⁵⁹ In 1321 Roger le Cauz and Margery, his wife, deeded property to Master Nicholas de Lymbery, rector of Brakne, and John de Brakne his servant.⁶⁰ As a result of this kind of relationship, some servants accumulated enough property to deed out to others, such as Elyas de Stoke, the servant of the Master and brethren of the Hospital of St. Giles, who deeded property to Thomas Bruman and Christiana, daughter of Walter Sithing of Norwich.⁶¹ Whether or not these servants were related to their

⁵⁵ Hudson, *Leet Jurisdiction*, 38.

⁵⁶ Hudson, *Leet Jurisdiction*, 7.

⁵⁷ Hudson, *Leet Jurisdiction*, 8.

⁵⁸ Hudson, *Leet Jurisdiction*, 13.

⁵⁹ Bartholomew de Acre, merchant, to Andrew de Acre, his servant, for his advancement. Rye, *Deeds of Norwich, 1285-1306*, 29.

⁶⁰ Rye, *Deeds of Norwich, 1307-1341*, 103.

⁶¹ Rye, *Deeds of Norwich, 1285-1307*, 106.

masters, relationships developed in some cases. Yet there were other cases noted in the leet rolls where this relationship was not always so ideal. There are five cases of bodily violence that involve servants listed in these records. In one instance, Gregory, the leather-cutter, drew the blood of his servant, and the servant was also charged for attacking his master in turn,⁶² Another case shows the two servants of Bartholomew the Blind drawing the blood of each other⁶³ and a final example from these five instances shows William de Irstead being fined for attacking his servant with a candlestick and drawing blood.⁶⁴

As for evidence revealed by these rolls of violence in the larger community, it seems as though more violent crimes happened outside of the household and nuclear family than inside. Out of the fifty-six recorded acts of violence between parties in the leet rolls from 1291 to 1313, only six involved nominally recognized family members. Of the rest of these crimes, forty-four took place between unrelated individuals, and five incidents occurred that involved masters and servants. One of the more gruesome examples of a crime that took place outside the household can be seen in the case where Nicholas Jay wounded a certain clerk, a stranger, by cutting off two of the clerk's fingers.⁶⁵ There are no examples of crimes that took place between members of the same or even similar trades.

The fact that most of the crimes recorded in the leet rolls dealt with incidents that took place outside the family might very well indicate that, if at all possible, the family took care of its own issues. As Nicholas has suggested in his study of Ghent, the extended family probably monitored its members and their crimes toward one another as best they could and only approached the courts if the matter got out of hand. This kind of

⁶² Hudson, *Leet Jurisdiction*, 10.

⁶³ Hudson, *Leet Jurisdiction*, 9.

⁶⁴ Hudson, *Leet Jurisdiction*, 23.

⁶⁵ Hudson, *Leet Jurisdiction*, 1.

situation did arise, as in the case when Roger de Lakenham drew the blood of Richard de Warinhale. De Warinhale's wife raised the hue and alerted the community, but the parties ended up making no suit and "secretly agreed among themselves".⁶⁶

Conclusion

The importance of the extended family and the outside community in the lives of the nuclear families in Norwich becomes apparent on both economic and social fronts. Economically, the family depended on its extended kin and the community to support its business by providing places for children to serve as apprentices and to ensure a safe atmosphere in which to work and live. Socially, these nuclear families depended on their extended network of kin and neighbors to help in a time of need, such as in a legal case, and the family also sought protection against any "strangers" who might come into the city and endanger either the market or their persons. The family and the community also used the brotherhood of trades to form both social and economic bonds through which they exchanged property and found prospective mates. This brotherhood was also marked by a lack of violent crime within this kind of relationship.

It seems, from the scant evidence contained in the leet rolls, that households were both diverse in their leadership, but also in their content. Some contained servants, some grooms, some cooks, but they all seemed to have been places where people came and went. The lodgers who were being harboured out of tithing seem to have been a common occurrence and a way by which someone might come into the household for a short or a long stay. These households were not always happy ones, but they were places in which the outside community and the nuclear family interacted with some frequency.

However, it needs to be recognized that, while these two larger entities were vital to the survival of the medieval nuclear urban family, the deeds and leet rolls from Norwich show that it was the conjugal relationships that provided these families with an

⁶⁶ Hudson, *Leet Jurisdiction*, 7.

identity that set them apart from their kin and neighbors. The naming patterns, combined with the fact that a majority of the property deeded from one party to another went from the hands of one recognizable member of a nuclear family to another member of the same family, along with the rare appearance of inter-familial crime, show that these small conjugal family groups felt it was important to retain the boundaries of their families against the backdrop of the larger urban community.

CHAPTER VI

CONCLUSION

Being a part of a medieval family in Norwich provided citizens with an identity that set them apart from the rest of the urban community. Legally, socially, and economically these conjugal relationships in Norwich were much more clearly and frequently defined than their relationships to their extended kin and neighbors. The research for this thesis has unearthed a great deal of family and household diversity. The transient nature of these families and the permeability of the medieval household were unavoidable obstacles for nuclear family unity, but it is apparent that the conjugal relationships between husbands and wives and between parents and their children were the basis for this urban environment. Yet no matter what the living arrangements of these nuclear families, they were entities clearly distinguishable from the larger network of kin and neighbors. Lawrence Stone has argued that this type of family "was an institution whose prime purpose was economic support rather than affective bonding and in which patriarchalism was the rule."¹ While it is definitely true that one of the integral functions of the medieval family was to provide economic support for its members, this statement could also be used in reference to modern families. For even in today's society, when economic support remains a major concern, this in no way supersedes the modern family's ability to create and maintain emotional and social bonds. Therefore, it cannot be assumed that the hardships created for the medieval family, arising from high infant mortality rates, the frequency of spousal deaths, and the importance of community, made the medieval nuclear family any less independent and socially and emotionally functional than many modern families.

¹ Stone, "The Rise of the Nuclear Family", 14.

It cannot be denied that these families were indeed different from those of the modern period, but the deeds and other records from the city of Norwich, with their benefits and limitations, have shown that nuclear families in this urban area were able to create and maintain a strong identity for themselves despite changing circumstances. The medieval urban family was held together by legal bonds, in that husbands and wives as well as parents and children were required to act together when deeding property; the community, which understood collectively that an economically and socially healthy family meant fewer burdens on the community, supported strong families. Finally, this urban nuclear family was an economically successful entity, because the artisan family that thrived within this environment often depended on wives, sons, and daughters to help carry on the trade of the male head of household.

The deeds and other records used in this thesis are limited in that they cannot provide information about the size or accurately depict in absolute terms the individuals who made up these households. They provide only a glimpse into the lives of these citizens of Norwich, which touches on the ties that bound these medieval people to one another. It is, however, possible to discern the connections that the members of the nuclear family had with one another and how economically and socially important these families were at the most basic level of urban life.

For example, some of this vital evidence, such as the cases that are listed in the leet rolls, shows that this importance comes from the fact that so few incidents of violence took place between the family and the outside community. Hanawalt has suggested that these results might indicate the family's desire to establish a strong relationship within the larger community.² This thesis has argued, on the contrary, that the reason these inter-familial instances of crime are so difficult to locate is because the members of the nuclear family were too important to one another for both economic and

² Hanawalt, *Crime and Conflict*, 167-168.

social reasons to risk destroying either the person or the community status of their relatives.

This look at the medieval nuclear family is unusual because it looks at one city in particular and the individuals of whom it was composed within a certain time frame. The records that have been used have never been previously used to examine the families and their relationships to one another. In such an examination, it is possible to understand more completely how diverse these families were, and yet how important the conjugal family was to these citizens on an economic and social level. An example of this importance can be seen in the naming patterns that are evident in this study, which show the desire of the family to retain the identity of the individual members against the backdrop of the larger community of extended kin and neighbors.

Community relationships were important because they provided protection for the nuclear families. Yet at the same time, this was a community that encouraged the success and independence of conjugal relationships, because the more these family members could depend on one another, the less support they needed from their neighbors. While the households of these nuclear families may have included both members of the community as well as perhaps some of their extended kin, the conjugal relationships of the small family retained their distinctive identities.

There is still a great deal more research that can be carried out using the original forms of the deeds and leet rolls. In their entirety, these records might more accurately portray the relationships that existed between the family members and the outside community. They would also provide more detailed information about the property being deeded, which might indicate the type of property, the location of the property, and its proximity to the property of others. In short, the records from this city are a largely untapped resource of information on medieval daily life. However, though somewhat incomplete, the glimpse that is provided into the lives of these Norwich families that is provided by this thesis shows that the basic social and economic bonds that existed

created independently recognizable families and that the outside community and extended kin relations depended on this primary family structure to perpetuate a successful urban atmosphere.

BIBLIOGRAPHY

PRIMARY SOURCES

- Hanawalt, Barbara, ed. *Crime in East Anglia in the Fourteenth Century: Norfolk Gaol Rolls, 1307-1316*. Norfolk Record Society, Vol. XLIV, 1976.
- Hudson, William, ed. *Leet Jurisdiction in the City of Norwich: During the XIIIth and XIVth Centuries with a short notice of its later history and decline from rolls in the possession of the corporation*. London: Bernard Quaritch, 1892.
- Hudson, William and John Tingey, eds. *Records of the City of Norwich*. 2 Vols. Norwich: Jarrold and Sons, 1906.
- Rye, Walter, ed. *A Short Calendar of the Deeds Relating to Norwich Enrolled in the Court Rolls of that City 1285-1306*. Norwich: Printed for the Norfolk and Norwich Archaeological Society by A.H. Goose, 1903.
- Rye, Walter, ed. *A Calendar of Norwich Deeds Relating to Norwich Enrolled in the Court Rolls of that City, 1307-1341*. Norwich: Printed for the Norfolk and Norwich Archaeological Society by Goose and Son, 1915.

SECONDARY SOURCES

- Alford, John A. *Literature and Law in the Middle Ages: A Bibliography of Scholarship*. New York: Garland Publishers, 1984.
- Ariès, Philippe. *Centuries of Childhood: A Social History of Family Life*, translated by Robert Baldick. New York: Knopf, 1962.
- Ariès, Philippe and Georges Duby, eds. *A History of Private Life* Cambridge: Harvard University Press, 1988.
- Ault, Warren O. *Open-Field Farming in Medieval England. A Study of Village By-Laws*. London: Allen and Unwin, 1972.
- Bennett, Judith M. "Public Power and Authority in the Medieval English Countryside." In *Women and Power in the Middle Ages*, Mary Erler and Maryanne Kowaleski, eds. Athens, University of Georgia Press, 1988

- Berkner, Lutz K. "Recent Research on the History of the Family in Western Europe" *Journal of Marriage and the Family* 35, 1973: 395-405.
- Bolton, J.L. *The Medieval English Economy 1150-1500*. London: J.M. Dent & Sons, Ltd., 1980.
- Brooke, Christopher. *The Medieval Idea of Marriage* Oxford: Oxford University Press, 1989.
- Brundage, James A. "The Merry Widow's Serious Sister: Remarriage in Classical Canon Law", in *Matrons and Marginal Women in Medieval Society*. Robert R. Edwards and Vickie Ziegler, eds. Woodbridge: The Boydell Press, 1995.
- Brundage, James. *Law, Sex and Christian Society in Medieval Europe* Chicago: University of Chicago Press, 1987.
- Cavallo, Sandra and Lyndan Warner, eds. "Introduction". *Widowhood in Medieval and Early Modern Europe*. New York: Pearson Education, 1999.
- Constable, Marianne. *The Law of the Other: The Mixed Jury and Changing Conceptions of Citizenship, Law and Knowledge*. Chicago: University of Chicago Press, 1994.
- Coulton, G.G. *Medieval Panorama: The English Scene from Conquest to Reformation*. Cambridge: Cambridge University Press, 1939.
- Coulton, G.G. *The Medieval Village* Cambridge: The University Press, 1925.
- Cozens-Hardy, Basil. *The Mayors of Norwich 1403 to 1835; being biographical notes on the mayors of the old corporation*. Norwich: Jarrold, 1938.
- Darroch, Elizabeth, ed and comp. *A Bibliography of Norfolk History*. Norwich: University of East Anglia, Centre of East Anglian Studies, 1975.
- Day, James Wentworth. *Norwich Through the Ages*. Ipswich: East Anglian Magazine Ltd., 1976.
- De Mause, Lloyd. *The History of Childhood*. New York: The Psychohistory Press, 1974.
- Dodwell, Barbara. 'Holdings and Inheritance in Medieval East Anglia'. *Economic History Review* 2nd Ser. 17, 1965: 53-66.
- Douglas, David Charles. *The Social Structure of Medieval East Anglia*. New York: Octagon Books, 1974.

- Hanawalt, Barbara, ed. *Medieval Crime and Social Control*. Minneapolis: University of Minnesota Press, 1999.
- Hanawalt, Barbara. *Ties that Bound: Peasant Families in Medieval England*. New York: Oxford University Press, 1986.
- Helmholtz, Richard. *Marriage Litigation in Medieval England*. Cambridge: Cambridge University Press, 1974.
- Herlihy, David. *Medieval Households*. Cambridge: Harvard University Press, 1985.
- Houlbrooke, Ralph A. *The English Family, 1450-1700*. London: Longman Group Ltd., 1984.
- Itnyre, Cathy Jorgensen, ed. *Medieval Family Roles: A book of Essays*. New York: Garland Publishers, 1996.
- Kellum, Barbara A. "Infanticide in England in the Later Middle Ages". *History of Childhood Quarterly* 1, (1973-4): 367-388.
- Kent, Bonnie Dorrick. *Virtues of the Will: The Transformation of Ethics in the Late Thirteenth Century*. Washington, D.C.: Catholic University of America Press, 1995.
- Krause, J. "The Medieval Household: Large or Small?" *Economic History Review*, ser. 2, 14 (April, 57), 240-432.
- Laslett, Peter. "English Society Before and After the Coming of Industry". In Lorne Tepperman and Susannah J. Wilson, *Next of Kin* (Englewood Cliffs, New Jersey: Prentice Hall, 1993) pp. 29-32.
- Laslett, Peter. *Family Life and Illicit Love in Earlier Generations: Essays in Historiographical Sociology*, New York: Cambridge University Press, 1977.
- Laslett, Peter and Richard Wall, eds. *Household and Family in Past Times*. Cambridge: Cambridge University Press, 1972.
- Leyser, Henrietta. *Medieval Women: A Social History of Women in England, 450-1500*. London: Weidenfeld and Nicholson, 1995.
- Macfarlane, Alan. *Marriage and Love in England: Modes of Reproduction 1300-1840*. Oxford: Basil Blackwell, Ltd., 1986.
- Macfarlane, Alan. *The Origins of English Individualism*. New York: Cambridge University Press, 1978.

- Macfarlane, Alan. *Reconstructing Historical Communities*. Cambridge: Cambridge University Press, 1977.
- Martins, Susanna Wade. *A History of Norfolk*. Sussex: Phillimore and Co. Ltd., 1984.
- McLaughlin, Mary Martin. "Survivors and Surrogates: Children and Parents from the Ninth to the Thirteenth Centuries". In Lloyd de Mause, ed. *The History of Childhood*, p. 101-181. New York: The Psychohistory Press, 1974.
- Mitterauer, Michael and Sieder, Reinhard, eds. *The European Family: Patriarchy to Partnership from the Middle Ages to the Present*, trans. Karla Oosterveen and Manfred Horzinger. Chicago: The University of Chicago Press, 1982.
- Mount, Ferdinand. *The Subversive Family: An Alternative History to Love and Marriage*. New York: The Free Press, 1982.
- Musson, Anthony. *Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294-1350*. New York: Boydell Press, 1996.
- Nicholas, David. "Childhood in Medieval Europe", in *Children in Historical and Comparative Perspective: An International Handbook and Research Guide*. Joseph M. Hawes and N. Ray Hiner, eds. New York: Greenwood Press, 1991.
- Nicholas, David. *The Domestic Life of a Medieval City: Women, Children, and the Family in Fourteenth Century Ghent*. Lincoln: University of Nebraska Press, 1985.
- Nicholas, David. *The Later Medieval City 1300-1500*. London and New York: Longman, 1997.
- Nightingale, Pamela. *A Medieval Mercantile Community: The Grocers' Company and the Politics and Trade of London*. New Haven: Yale University Press, 1995.
- Palmer, Robert C. *The County Courts of Medieval England 1150-1350*. Princeton: Princeton University Press, 1982.
- Palmer, Robert C. *The Whilton Dispute, 1264-1380: A Social-Legal Study of Dispute Settlement in Medieval England*. Princeton: Princeton University Press, 1984.
- Platt, Colin. *The English Medieval Town*. Cambridge: Secker and Warburg, 1976.
- Pollock, F. and F. W. Maitland. *The History of English Law before the time of Edward I*. 2 vols. 2nd ed. Cambridge: Cambridge University Press, 1968.

- Pollock, Linda A. *Forgotten Children: Parent and Child Relations from 1500-1900*. Cambridge: Cambridge University Press, 1983.
- Power, Eileen. *Medieval Women*. Cambridge: Cambridge University Press, 1975.
- Radcliff-Umstead, Douglas, ed. *The Roles and Images of Women in the Middle Ages and Renaissance*. Pittsburgh: Center for Medieval and Renaissance Studies, Institute for the Human Sciences, 1975.
- Rousseau, Constance and Joel T. Rosenthal, eds. *Women, Marriage and Family in Medieval Christendom*. Kalamazoo: Medieval Institute Publications, Western Michigan University, 1998.
- Shahar, Shulamith. *The Fourth Estate: A History of Women in the Middle Ages*, translated by Chaya Galai. London: Routledge, 1990.
- Shirlig, Susan. *Women Writers of the Middle Ages*. "Marriage in the Middle Ages II", Secondary Hypertexts.
<http://millersv.edu/~english/homepage/duncan/medfem/marriage2.html>
- Shorter, Edward. *The Making of the Modern Family*. New York: Basic Books, Inc. Publishers, 1975.
- Smith, Joshua Toulmin, ed. *English Gilds*. London: Published For the Early English Text Society, Oxford University Press, 1963.
- Stone, Lawrence. *The Family, Sex and Marriage in England 1500-1800*. London: Weidenfeld and Nicholson, 1977.
- Tanner, Norman P. *The Church in Late Medieval Norwich 1370-1532*. Toronto: Pontifical Institute of Medieval Studies, 1984.
- Thrupp, Sylvia. *The Merchant Class of Medieval London, 1300-1500*. Chicago: University of Chicago Press, 1948.
- Tilly, Louise and Miriam Cohen. 'Does the Family Have a History? A Review of Theory and Practice in Family History'. *Social Science History* 6, 1982: 131-180.
- Tilly, Louise A. and Joan W. Scott. *Women, Work and Family*. New York: Holt, Rinehart and Winston, 1978.
- Tierney, Brian, ed. *The Middle Ages, II: Readings in Medieval History* 4th edition. New York: McGraw-Hill, 1992.