

—Book Review—

Amy Louise Erickson, *Women and Property  
in Early Modern England*

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Erickson's book is distinguished by its unprecedented, extensive and systematic use of probate records, especially accounts, to discover the reality of ordinary women's economic and social situation in the early modern period. It focuses particularly on the ownership and transfer of women's property. Although principally concerned with rural parishes, the author also studies some market towns and cities. Her book is therefore useful for readers engaged in both rural and urban history.

Part 1 introduces and explains the importance of the history of women and property as it has been under-examined in the history of law and society. This is largely due to the relative scarcity of documents especially for lower or ordinary status women. Nevertheless, in the ecclesiastical documents, women are generally described in a more equal manner. Together with the parish registers, the probate documents seem to be especially useful for the description of the social history of the family and women. The author explains that probate documents consist of three types of documents: wills, inventories and accounts. The main contribution of the author to women's social and legal history is provided by probate

accounts. This document was generally made one year after the will-maker's or non-testator's death, listing the final possessions of the deceased after the clearance of debts and payment of funeral and burial costs. Erickson stresses that although the court and probate systems were created and handled by men, the executors of wills and the accountants were more likely to be women. These executrix (female executors) were usually the wives of testators. Moreover, in this period around 20 per cent of all testators were women.

Although the number of probate accounts is limited and the survival based on luck, there are almost 30,000 remaining accounts from the period. The number of surviving wills is almost two million and inventories one million. The author therefore collected about 1,500 cases of accounts linked with other probate documents and parish registers. The coverage of counties is due to the regional unevenness of account survival such that Lincolnshire, Northamptonshire, Sussex and Cambridgeshire provided the majority of data. Concerning this regional bias she could perhaps have made more detailed regional studies, such as comparing fen/marsh and uplands areas. However, because of the lack of such history so far, she decided to describe the general situation.

Turning to the remaining Parts-2, 3 and 4, the author follows the general life stages of women from maid (Part 2), to wife (Part 3) and widow (Part 4). In Part 2 she considers the upbringing of maids before marriage. Although there is a division of labour in the workplace based on sex, the cost of upbringing varies little between the sexes. Moreover, the ecclesiastical laws dealt with moveables and chattels which were transferred to men and women equally. Whether in lands or goods, fathers generally tried to give equal portions to their daughters and sons. In this period the relative value of land and moveables was much closer than we think today.

However, there was a gradual decreasing power of ecclesiastical law, giving way to the common law, which was largely for the upper landed class due to increased private ownership. As a result ordinary women did not participate in the common law world and their legal rights, especially widows, were generally restricted.

In Part 3 Erickson describes the financial situations of wives using the marriage settlement documents. Indications from probate accounts suggest that one out of ten ordinary couples arranged marriage settlements including a 'separate estate' for the wife. This was intended to secure the wife's property ownership (one out of four wives were left in debt on their husband's death). However, even with these arrangements, the wives largely depended on their husbands' good will. In Part 4, the author compares the financial situations and economic responsibilities of the widows of men who made wills and of those who did not. Consideration is then given to how such widows and spinners lived and their own will-making activities. If the testators were women, women were likely to be the executrix of the wills and the accountants. Such legal activity, despite their relative legal disabilities, was possible due to the establishment of female networks. These were based on egalitarian personalism which overlapped with kin relationships/neighbourhoods and sometimes crossed differences in economic status and social rank. Erickson comments that "Personalism' is a better description of women's wills than 'diffusion'" (p. 213). Within the discussion on female networks, through the rich information, it might have been possible to consider the conflicts which must have existed therein. This would have helped us understand the reality more precisely.

Although Erickson is primarily interested in the history of women and property, as a consequence she succeeded in providing a well-balanced

overview of the relationship between law and society. According to Erickson, the most important factor in wealth in early modern England was inheritance rather than wages. However, the conditions for inheritance generally did not last eternally. And, demographically, it was almost impossible to continuously maintain inheritable heirs. Nevertheless, since the seventeenth century, primogeniture through the male line became dominant in land inheritance. Erickson makes the reader realise that beyond this there must have been certain standardised laws which were also influential. From the sixteenth to the eighteenth century population growth and land demands gradually standardised national economic life. This did however, take time and had comparatively less impact on the lower classes. In the process other laws, including ecclesiastical and manorial, gradually became custom. Moreover, throughout the period, the terminology of family relationships became clearer and narrower in the sense of blood ties (more nuclearised), whereas social status and occupations generally became downwardly fragmented and more clearly defined.

Erickson's book is also full of intriguing examples from original documents. For example, the case of the young female will-maker, Margaret Greave of Willingham, Cambridgeshire. In her will Margaret made no distinction between her real siblings and her step siblings, leaving her dowry to her one year old step sister for bequest at sixteen years old (in this period the minimum age of female marriage and real/property inheritance was sixteen). The author stated that Margaret Greave was 18 years old when she made her will. However, in my own research I found that the parish transcription states her age as only 15 years, making this example even more remarkable. This is likely to be the youngest case of will-making in the period and may provide insight into the possible minimum age for legal activity.

In conclusion, Erickson's work provides valuable insight into the actual, and hitherto overlooked, legal responsibilities and financial skills and situations of ordinary women in early modern England.