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Mingshu Liu April 15, 2015

Women, Gender, and Property in Late Medieval England: A Study of Female Agency Through Letter-Writing

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Abstract

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The fourteenth-century demographic crisis that decimated England's population ushered in an era of social and economic mobility for aristocratic women. Because the Black Death and recurring episodes of bubonic plague disrupted male-dominated patterns of succession among the landholding class, women controlled a greater proportion of property in relation to men in the late fourteenth and fifteenth centuries than they had prior to 1348. The episodic Wars of the Roses, fought between 1455 and 1487, only resulted in higher death tolls, thus compounding the inheritance problem. On the other hand, the expansion of women's legal rights during the Middle Ages supported female property ownership by providing women with more substantial protections against the common-law doctrines of coverture and primogeniture. This paper attempts to trace the impact of late medieval England's shifting demographic, legal, and political circumstances in order to demonstrate that women's position did improve during the Yorkist period as a result of these changes. Although England's class-based and gender-coded ideological structure remained intact, elite women utilized interpersonal and informal avenues of power to exercise their agency. This project seeks to prioritize women's voices by examining their written correspondence, tapping into a set of experiences not recorded in formal political or court manuscripts. By lending a micro-scale lens to a macro-historical approach, this discourse analysis aims to illuminate issues such as the reality of aristocratic Englishwomen's estate management, their movement throughout the uxorial life cycle, and the fluidity of fifteenthcentury gender roles.

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Introduction

In February of 1449, an English gentlewoman by the name of Margaret Mautby Paston was on the run. Just one month prior, she had already been forcibly expelled from her manor in Gresham, a rural parish near the northern border of Norfolk. After taking refuge with the wife of one of her husband's supporters in their residence at Sustead, Margaret caught wind of a kidnap plot orchestrated by Lord Moleyns, the son of Robert Hungerford, 2nd Baron Hungerford. Fearing for her safety, she fled again, this time to Norwich, where she elected to stay with her mother-in-law. In a letter dated February 28, 1449, Margaret writes to her husband in London: "Barow told me that ther ware no better evydens in Iglond [England] than the Lord Moleynys hathe of the maner of Gressam. I told hym I sopposyd that thei were seche evydens as Willyam Hasard sevd that vowr were: he sevd the sellys of hem were not vett kold." The point of contention between Lord Moleyns and the Paston family rested in the uncertainty over the rightful ownership to the Gresham manor. Although the property had previously been purchased by Margaret's father-in-law William Paston from Thomas Chaucer, the son of poet Geoffrey Chaucer, a member of the Moleyns family once held the option to buy the reversion, or future title, from the Chaucers. The Moleyns failed to exercise this alternative. In 1448, however, Lord Moleyns suddenly laid claim to the manor and began to collect rents from the tenants. John Paston I, Margaret's husband, had attempted to appeal to Lord Moleyns himself, but the "fals schrew" refused to be persuaded.² John Paston instead made his way to London in search of a

¹ Norman Davis, *Paston Letters and Papers of the Fifteenth Century, Part I* (Oxford: Oxford University Press, 1971), 231. The "Barow" that Margaret refers to is Walter Barrow, one of Lord Moleyns's retainers.

² Ibid., 229.

patron with influence in the courts, leaving his wife to claim their ground on the home front. She would not return to Gresham until the manor was restored two years later in 1451.

Margaret was not one to be underestimated. Born c. 1420 to a family of means, she was well-connected and when she married John Paston in 1440, she brought with her a sizeable inheritance. The manor at Gresham represented part of Margaret's jointure—land settled by the father of a bride or her groom to be owned by her after her husband's death. The clash with Lord Moleyns thus threatened not only family property, but also her own wealth directly. She is clearly disgruntled when she describes her negotiations with Lord Moleyns's men. She writes, "I seyd to hym that he xuld have compascion on you and other that were dissesyd [dispossessed] of her lyvelode, in as meche as he had ben dissesyd hym-self." She also informs John that "most part of [his] stuff that was at Gressam is sold and govyn away."⁴ As the proxy curator of the estate, Margaret was responsible for relaying important news and updates to her husband, the master of the household, when he was away even though she was unable to halt Lord Moleyns's plans. Correspondence between the two over the course of 35 years indicates that Margaret regularly wrote to her husband in order to convey information and news, seek and offer advice, and inquire about the management of their household and land holdings. Because in 1449 Margaret was still relatively young and inexperienced in handling property disputes, her response appears passive. She reports how events proceeded but does not insert herself directly into the conflict except to confer with Lord Moleyn's men, who refuse her requests for cooperation. What is remarkable about the compendium of Paston letters, however, is that they track Margaret's growth as the Paston family matriarch, illustrating the full spectrum of her development from timid new spouse to domineering widow.

³ Ibid., 229. ⁴ Ibid., 229.

Of the five main collections of family letters that survive from fifteenth-century England—the Paston, Stonor, Cely, Plumpton, and Armburgh collections—the Paston papers stand as the largest and most complete, chronicling a full three generations of the Norfolk gentry family. The letters begin with William Paston I, the son of a yeoman who wisely borrowed money to send him to school, effectively turning the tide of the family's fortunes after establishing himself as a lawyer. William began to amass substantial landholdings during his career, but his death in 1444 left his wife and heirs to fend off challengers who disputed the upstart gentleman's purchases. Lord Moleyns represented one such contender. Through the letters of Agnes Paston, John Paston I, and Margaret Paston—William's wife, son, and daughterin-law—we are able to piece together the proceedings of several disputes over the rightful inheritance of William's lands. The noveau riche element of the Pastons' swift rise to prominence generated friction within England's elite circle. The Paston papers are thus particularly illustrative of the ownership disputes that elite women faced. Such documents "revea[1] how patriarchal legal and social intuitions operated to control and constrain women through economic means," yet they also uncover an English legal system that "made land ownership and control a reality for some elite women." ⁵ Margaret Paston's letters in particular reveal the numerous challenges mounted against the Paston family in the aftermath of their founding patriarch's death. Of the 148 or so papers written by the Paston women and their immediate associations, 107 are from Margaret—104 letters, an inventory, a lease, and a final will. The focus on Margaret throughout the course of my paper is a result of the source material, though I will attempt to reinforce the insights I glean from her letters with those written by other late medieval women whenever possible.

⁵ Anastasia B. Crosswhite, "Women and Land: Aristocratic Ownership of Property in Early Modern England," NYU Law Review 77 (2002): 1119-1120.

As a supplement to the Paston letters, I will also investigate the correspondence of the Stonor women. While the Stonor papers encompass the entire period from the late thirteenth to the late fifteenth centuries, the correspondence is not nearly as contentious as that of the Paston family. One reason the Stonors have been much less studied than their fifteenth-century contemporaries is because they were "typical of their kind" and did not have to confront challenges regarding their family's gentry status as the Pastons did. The Stonor papers span a broader timeframe but the scattered evidence makes it more difficult to identify continuities and changes over time compared to the compact narrative that emerges from the Paston letter collection. The 23 letters attributed to the various Stonor women in addition to the account book and a September 1478 bill of Elizabeth Stonor do, however, reveal the inner workings of the landed gentry economy if not the continual problem regarding inheritance and control of land. In the late 1470's, the Stonors attempted to capitalize on London's growing urban economy and international wool trade. Elizabeth Stonor's letters to her husband William Stonor at times describe how unhappy she was during her stays in London. Correspondence from the women of this long-established family help to embellish the snapshot historians begin to develop from the Paston papers concerning the daily lives and routines of gentry folk living in late Yorkist England.

Most of the historical documentation from the late Middle Ages comes down to us in the form of legal records, financial statements, and property deeds. Personal letters, especially ones written by women, are rare. The earliest recorded letters attributed to English noblewomen date back to 1392 or 1393, only a few decades earlier than the first of the Paston family's

⁶ Charles Lethbridge Kingsford, *Kingsford's Stonor Letters and Papers 1290-1483*, ed. Christine Carpenter (Cambridge: Cambridge University Press, 1996), 7.

⁷ Kingsford, Stonor Letters, 20-22.

correspondence. The letters that I will examine in this paper thus come from the period when women were just beginning to write more regularly in the English vernacular. 9 Unlike the bulk of medieval women's writings, the Paston and Stonor letters do not foreground religious and spiritual concerns in the way that Julian of Norwich's mystical texts or *The Book of Margery* Kempe do. Rather, the female letter-writers describe issues that range from arranging advantageous marriages for their daughters, to managing the household and estates in the absence of their husbands, to legal disputes and court cases over property in the case of the Pastons. England at the start of the fifteenth century was still recovering from the decimation to the population in the fourteenth century by the Great Famine, the Black Death, and recurring episodes of bubonic plague. Economic historians like S.J. Payling argue that the demographic crisis of the fourteenth century "increased the wealth of the established families that survived the plague and encouraged upward mobility into the landed class"—likely a contributing factor of William Paston's rise to fortune. 10 Because there was both a decline in population and increasing availability of land, there was a higher degree of social mobility among families that could arrange strategic marriages and land purchases. In late medieval English society, land was the primary marker of wealth and status. Families that could successfully acquire, accrue, and bequeath their landed wealth to their descendents over several generations augmented their social standing. Stable demographic conditions permitting, families typically passed their property through the male line under common law. During times of intense famine or plague, however, populations could fall dramatically, disrupting male-dominated patterns of succession and

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⁸ Jennifer C. Ward, "Letter-Writing by English Noblewomen in the Early Fifteenth Century," in *Early Modern Women's Letter Writing*, *1450-1700*, ed. James Daybell (Houndmills, Basingstoke, Hampshire: Palgrave Publishers Ltd. 2001), 30.

⁹ Diane Watt, Medieval Women's Writing (Cambridge: Polity Press 2007), 151

¹⁰ S.J. Payling, "Social Mobility, Demographic Change, and Landed Society in Late Medieval England," The Economic History Review 45, No. 1 (1992): 51.

placing more land into the hands of heiresses as a result. Figures compiled from post-mortem inquisition documents detailing the possessions and rightful heir of deceased landowners show that the Black Death significantly altered patterns of inheritance among landholding families. From the time the inquisitions began in 1236 under King Henry III to the dawn of the pandemic in 1348, we observe little variation in the predominance of inheritance through a direct male heir. 70 to 73 percent of male landowners granted their fortunes to their sons versus around 10 percent to daughters. 11 In the century following the devastation wrought by the Black Death, the proportion fell to as low as 51 percent for sons and rose as high as 20 percent for female heiresses. The letters of the Paston and Stonor women take place in the aftermath of Europe's dynamic demographic disaster and reflect its consequences on England's fifteenth-century social and economic development. As we have already discussed, property concerns figure especially prominently in the female Paston writers' letters, evincing the day-to-day experiences of elite women who controlled increasingly large landholdings as a result of structural population change.

The demographic crisis compounded the impact of shifting legal circumstances and disruptive political forces in late medieval England. Fifteenth-century England occupies a curious interregnum between the expansion of women's legal rights during the Middle Ages and their constriction in the sixteenth and seventeenth centuries. The 1217 and 1225 reissues of the Magna Carta, the development of jointure from the thirteenth century onwards, and the ecclesiastical laws that "advocated a form of community property within marriage and the equal division of parental wealth among all children" challenged the common law ideas of coverture

¹¹ Ibid., Table 1.

and primogeniture. 12 The practice of coverture stipulated that a woman's legal status must be subsumed under that of her husband. A married woman could not, for example, bring a suit to court without the support of a male relative because she did not maintain a separate legal existence. Primogeniture was the system whereby the right of inheritance belonged exclusively to the eldest son. The advancement of protections for women against these two doctrines during the century preceding the Black Death supplied a legal basis for the concentration of wealth among women in the decades following it. As was the case with the Black Death, the Wars of the Roses left a number of vacancies at the top of the social hierarchy. The losses the nobility suffered to their numbers between 1455 and 1487 due to the wars between supporters of the Houses of Lancaster and York, two rival branches of the royal Plantagenet dynasty, extinguished "only a handful at most of noble families." With respect to the attainder and forfeiture of lands, however, "several lords suffered a diminution of wealth and power." The need to replenish the vacuum formerly inhabited by the old nobility inaugurated an age of upward social mobility. Families like the Pastons could rise from humble husbandmen to wealthy landowners in the span of just two generations.

Between the changes in succession patterns due to the Black Death and the intermittent dynastic battles, land in the fifteenth century was frequently shuffled among and within families and, in many cases, into the custody of aristocratic women. The letters of the Paston and Stonor women thus may help us answer two interrelated questions: to what extent were elite

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¹² Janet Senderowitz Loengard, "*Rationabilis Dos*: Magna Carta and the Widow's "Fair Share" in the Earlier Thirteenth Century," in *Wife and Widow in Medieval England*, ed. Sue Sheridan Walker (Ann Arbor: University of Michigan Press, 1993), 62-63.

Jennifer C. Ward, ed., "Introduction" in *Women of the English Nobility and Gentry, 1066-1500*, Manchester Medieval Sources Series (Manchester: Manchester University Press, 1995), 6-8. Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), 5-6.

¹³ A. J. Pollard, *The Wars of the Roses*, third ed., British History in Perspective (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2013), 108.

Englishwomen subject to the prominence of male-centered authority and kinship patterns and through which social, legal, and political mechanisms did women carve out agency and accumulate wealth for themselves? We shall discover that their letters point to the continuing paradox faced by elite women regarding the relationship between female subordination and autonomy. This paper aims to demonstrate that although the sweeping demographic and politicoeconomic crises that transformed England between the fourteenth and fifteenth centuries did not initiate the wholesale ideological restructuring of patriarchal arrangements, women's position did improve during the late Yorkist period as a result of these changes. On the one hand, Yorkist society remained enshrined in a profoundly hierarchical system that was organized along both class and gender lines. Women were still expected to marry if they did not enter a convent and to perform domestic duties; they were barred from formal political institutions such as parliament. Nevertheless, the Paston and Stonor letters indicate that women exercised considerable agency through interpersonal and informal avenues of power, including property holding and estate management. Such opportunities allowed propertied and other women of means to simultaneously navigate the confines of patriarchy while transgressing the ideal of feminine submission, suggesting that the boundary between the household and the public world remained fluid. By examining women's correspondence, we may unlock the perspectives of historical actors that have traditionally been relegated to the margins of historiography concerning the effects of the plague or the Wars of the Roses. Most of the inheritance and property disputes described in the letters were not litigated in the Royal Court or the Court of Chancery, but settled independently. The Paston and Stonor papers are thus invaluable historical documents that animate women's voices, allowing us to tap into a set of experiences not recorded in formal legal manuscripts. The letters provide the story behind the outcomes specified in wills and postmortem inquisitions. Various legal and sociocultural historians have already conducted analyses of the legal sources in order to determine the opportunities and disadvantages property and inheritance laws accorded aristocratic women. Other studies focus specifically on the theoretical and rhetorical concerns behind early modern women's letter-writing, but for the most part only briefly relate the discussion back to the context. Centering my thesis on the late Yorkist period will allow me to investigate to what extent periods of political and demographic disruption open new opportunities for elite women. In using the correspondence of the Paston and Stonor women to do so, I hope to bridge the gap in the historiography between macro-historical analyses of late medieval England's structural shifts and micro-level studies of female letter-writing.

The first section of this paper considers the theoretical framework of late medieval women's letter-writing. In reading late medieval women's letters, it is important to keep in mind the interpretive difficulties of working with the epistolary genre. Letters are not transparent texts that can be taken at face value. As Jane Couchman and Ann Crabb put it, "Letters are composed texts; they filter representations of lived experience through the rhetorical forms that shape them, yet they differ from literary texts because they are embedded in everyday practice and take their meaning from the part they play in actual lives and relationships." Furthermore, letters were not "representative of a simple two-way relationship between sender and recipient, with the latter as the sole intended audience of the letter." Rather, the "composition of letters was informed by an awareness of how and by whom letters might be read, enabling the letters to work on

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¹⁴ Jane Couchman and Ann Crabb, "Form and Persuasion in Women's Letters, 1400-1700," in *Women's Letters Across Europe*, 1400-1700, ed. Jane Couchman and Ann Crabb (Aldershot and Burlington, VT: Ashgate Publishing Ltd. 2005), 5.

¹⁵ James Daybell, "Privacy and the Social Practices of Reading Women's Letters," in *Women's Letters Across Europe*, *1400-1700*, ed. Jane Couchman and Ann Crabb (Aldershot and Burlington, VT: Ashgate Publishing Ltd. 2005), 161.

numerous levels." Written letters were not private documents. They were commonly read aloud or passed among family members, and letter-bearers conveyed additional information from the sender to the recipient. Moreover, there were varying levels of literacy among aristocratic women and many frequently dictated their letters so that they were "penned by amanuenses, bearing only the signature of a female correspondent." As such, it is difficult to separate "public" and "private," "political" and "domestic." I will look at the language of women's letters and examine how epistolary convention shaped the expression of women's personal wishes and desires. Letters provide a window on women's emotional and affective states, not simply their economic and legal clout. The section will also provide a brief consideration of women's historiography in an attempt to frame a definition of the term "agency."

The collection of letters by the Paston and Stonor women provide intimate details regarding gender roles in late medieval England, the focus of the second section. Each woman performed several roles throughout her lifetime—the naïve bride, the capable wife and mother, the assertive widow. Fourteenth-century population trends certainly heightened the influence of elite women as they amassed more property, but on a smaller scale, the female life cycle in and of itself relates to issues of power within the family. The incidence of vertical social mobility due to the Black Death and the Wars of the Roses in turn was a source of elite women's greater capacity to exercise power at various stages in the life cycle. Once women were in command of resources, they continued to find ways to utilize them to their advantage. Historians have argued that many of the legal incapacities that belonged to the early stages of the life cycle dissolved

¹⁶ Ibid., 161.

¹⁷ James Daybell, "Female Literacy and the Social Conventions of Women's Letter-Writing in England, 1540-1603," in *Early Modern Women's Letter Writing*, *1450-1700*, ed. James Daybell (Houndmills, Basingstoke, Hampshire: Palgrave Publishers Ltd. 2001), 59.

later on in the life cycle as women acquired wealth, connections, power, and experience. 18 Whereas the Margaret we saw in 1449 appeared hesitant while handling the dispute with Lord Moleyns over her Gresham manor, by 1465 she had become acquainted with the legal process and the arts of negotiation. As soon as she sensed the escalating conflict over Drayton and Hellesdon, two other Paston manors, she did not hesitate to take preemptive measures by going "to the Byshop of Norwych" where she "lyte hym haue knowlych of the ryotous and evyll dysposicyon of Maister Phylyp [bailiff to the Duke of Suffolk], desyryng hys lordshyp that he wold see a mene that a correction myvt be hadde..." Margaret's actions, like her letter, proceeded fluidly and in a matter-of-fact manner. She already knew how to engineer the countermeasures so she hastily wrote to her husband in order to receive his final approval: "I pray you send hastely word how that ye wyll that we be gydyd wyth thys place, for as it ys told me it ys lyke to stond in as grete jupardy in hast as othere don."²⁰ She demonstrated her familiarity with the law and the courts when she expressed her wish that John have "[his] men myght haue a supersedias [supersedeas] owte of the Chaunceré [Chancery] and be ovte of the dangere of there men here." The language is much more straightforward compared to that of her 1449 letters. No longer playing the role of the yielding newlywed bride, Margaret showcases her adeptness at navigating the legal system and managing the people around her. After her husband passed away in 1466, Margaret became an independent widow, finally freed from her marital duties and the confines of coverture. Her letters therefore imply that options for exercising agency were available to fifteenth-century aristocratic Englishwomen even in the

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¹⁸ Harris provides a concise outline of the historiography concerning late medieval and early aristocratic Englishwomen in Barbara Harris, *English Aristocratic Women*, 1450-1550 (New York: Oxford University Press 2002).

¹⁹ Davis, *Paston Letters*, *Part I*, 297.

²⁰ Ibid., 298.

²¹ Ibid., 298. According to Merriam-Webster's *Dictionary of Law*, a supersedeas is "an order suspending the proceedings of an inferior court and esp. the enforcement of a judgment until reviewed on appeal."

context of a male-dominated hierarchy and that the accumulation of authority culminated in widowhood.

The third and final section looks at the opportunities and legal protections available to elite women for acquiring and inheriting property. Although legal doctrines such as coverture, primogeniture, and arranged patrilocal marriages limited women's autonomy, at the same time, dowers and jointures protected widowed women and their property. In practice, these patriarchal institutions were considerably flexible, with "aristocratic men collaborat[ing] with lawyers to modify or circumvent the law so that they could achieve their goals for themselves and their families."22 Consequently, elite women living in fifteenth-century England frequently fought property disputes because "the legal system routinely placed land in the hands of women, albeit temporarily, in the forms of dowers or jointures."²³ A woman's dower rights under English common law entitled her to one-third of her husband's real property should she survive him. The bride's father could also negotiate a jointure in lieu of a dower, where he settled estates or properties on the husband and wife jointly so that she would retain the use of the land after being widowed. Elite families often preferred jointures because they "guaranteed the widow a specific amount of income, unlike dower which could fluctuate widely depending on the fortunes of her marital family."²⁴ The letters of multiple Paston women—Margaret, Agnes, and Elizabeth elucidate the struggles women endured in order to assert their claims over their jointure properties. The path to autonomy was rarely smooth. By interrogating the trajectory whereby elite women obtained and maintained their landholdings, this paper seeks to identify the circumstances that accounted for their position in the fifteenth-century English landscape.

²² Harris, English Aristocratic Women, 17.

²³ Crosswhite, "Women and Land," 1119-1156.

²⁴ Ibid.," 1127.

Section 1

Gender, Power, and Women's Letter-Writing Practices

Elite fifteenth-century Englishwomen held a significant advantage over the vast majority of their female contemporaries. By around 1400, most women of the gentry and nobility were at least reading-literate, a skill that would prove immensely useful in managing their husbands' business affairs and handling property disputes. Proficiency in writing, however, was rare. Although this project relies primarily on women's letters as source evidence, most of the letters I will discuss were, in fact, penned by scribes or clerks, forcing us moderns to rethink the processes of drafting, transmitting, and receiving written correspondence. Epistolary conventions and the intended audience influenced the composition of women's letters and correspondence was not typically penned or relayed by the authors themselves. Acquiring first an understanding of the rhetorical framework is necessary to investigate what the letters reveal about social and gender relations in late Yorkist England.

Through examining the handwriting of the original manuscripts, Norman Davis concluded that the letters attributed to the Paston women were written in an "astonishing" variety of different hands. Estimates include eight hands for Agnes's thirteen letters, twenty-nine for Margaret's 104 letters, four for Margery Brews, and two for her mother Elizabeth Brews. ²⁶ Three of Margery's letters exhibit signatures "all in the same distinctively halting and uncontrolled hand, as of someone beginning to learn to write," the only woman in her family who could apparently write her own name. ²⁷ Like the Paston women, Elizabeth Stonor's thirteen surviving letters were evidently written by at least nine scribes, though she signed them herself and

²⁵ Ward, "Letter-Writing by English Noblewomen," 29.

²⁶ Davis, *Paston Letters, Part I*, xxxvii-xxxix.

²⁷ Ibid., xxxvii.

sometimes included her own postscript.²⁸ The Paston and Stonor women cannot be considered fully literate, a shortcoming that increased their dependence on men who were. Even if we apply the most basic definition of literacy—the ability to sign one's own name—historians such as David Cressy approximate that ten percent of Englishmen and only one percent of women met this requirement by around 1500.²⁹ Furthermore, we are not able to reliably deduce which letters were taken down verbatim as the authors dictated them and which letters were more or less left to the discretion of their scribes after they received instructions concerning what the content of the letters should include. We may still say that the letters of the Paston and Stonor are selfauthored, but we must qualify that by recognizing that their voices were filtered through multiple screens and that letter-writing was generally a collaborative exercise.

Epistolary privacy thus remained a novelty. Letters often ran the risk of being read by persons other than the intended recipient and "personal" letters were frequently circulated among family members. To safeguard sensitive information, men and women alike employed trusted letter-bearers to deliver messages orally. 30 In the next chapter, we will piece together the narrative of John Paston III and Margery Brews's courtship by surveying their love letters, by nature more delicate samples of writing. Still, delivering the intimate notes required an intercessor, and in this case the bearer who relayed John's first letter to Margery in 1476 was John's "ryght trusty frend Rychard Stratton." John bids Margery to "geve credence in syche matters as [Richard] shall on [his] behalv comon with [her]."³² As Daybell states, "[T]he bearer

²⁸ Alison Truelove, "Literacy," in *Gentry Culture in Late Medieval England*, ed. Raluca L. Radulescu and Alison Truelove, Manchester Medieval Studies (Manchester: Manchester University Press, 2005), 91.

²⁹ David Cressy, Literacy and the Social Order: Reading and Writing in Tudor and Stuart England (Cambridge: Cambridge University Press, 2006), 176-177.

³⁰ James Daybell, Women Letter-Writers in Tudor England (Oxford: Oxford University Press, 2006), 126-

³¹ James Gairdner, *The Paston Letters, A.D. 1422-1509*, *Volume 5*, 255. Gale Database. ³² Ibid., 255.

was... [an] integral part of epistolary communication... [They] acted as personal representatives entrusted with... intimate business interests."³³ If one did not want others to read the letter, he or she specifically expressed their wish in the letter, as Margery did. She writes at the end of her first letter to John, "And I besech yowe that this bill be not seyn of non erthely creature safe only your-selfe," indicating she knew that her "private" letter could very well be read by prying eyes. ³⁴ Epistolary communication during this period relied on a "shared understanding of background circumstances and other factors," which "enabled the recipient to read more into the letter than was actually written."³⁵ As readers we must be aware of the possibility of omissions of detail from written correspondence and keep in mind that letters are only small—though nevertheless significant—snapshots subject to the limitations that govern any consideration of historical sources.

In addition, we cannot accurately judge whether the letters we have access to are wholly representative of aristocratic women's life experiences. While I will treat the Paston and Stonor women as historical subjects, I am aware that they were indeed individuals and that using their letters as evidence to support broader conclusions regarding fifteenth-century aristocratic women's social activity involves some generalizations. In the following chapter, I utilize the methodology of role analysis in order to explicate women's shifting gender roles throughout their lifetime. On the most comprehensive level, the lives of the various Paston and Stonor women might have followed the pattern of young bride to knowledgeable widow, but the range of human experience is fundamentally too varied to classify under any elusive label, including "late-medieval aristocratic woman." My analysis is also tempered by the fact that the letters represent only fragmentary evidence, due to many of them being lost or destroyed. I therefore

³³ Daybell, "Privacy and the Social Practices of Reading Women's Letters," 154.

³⁴ Davis, *Paston Letters, Part I*, 663.

³⁵ Ward, "Letter-Writing by English Noblewomen in the Early Fifteenth Century," 30.

forfeit some of my ability to contextualize my source base in terms of the larger whole because I have only general parameters for what constitutes that whole.

Questions concerning the epistolary structure of letter-writing also bear on our consideration of the extent to which the thoughts penned by the Paston and Stonor women reflect genuine feelings and emotions. Margaret opens a letter to John Paston I dated February 15, 1449 by stating that she is "desyryng hertyly to hervn of [her husband's] wele-fare." While it is likely that Margaret was genuinely concerned for her husband's welfare, historians need to be careful when examining these statements and not evaluate them literally because they are embedded in multiple rhetorical layers. Such writing is formulaic and inquiries regarding the letter recipient's welfare or prosperity were considered standard practice for wives, mothers, daughters, sons, servants, and in-laws alike. As we discussed earlier, letter-writers were aware that their correspondence might be passed among other family members or an even broader, more public audience, making it difficult to separate "private" and "public" documents. Margaret needed to take caution in representing her emotions lest her letter be intercepted by an unwelcome third party. We must also remember that the aristocracy often preserved letters as evidence for possible future legal disputes, thus imbuing them with added political significance. Careful record-keeping of household and estate documents, commercial transactions, and legal conflicts was essential for such a litigious society where such proof could be presented at court and papers from private family archives could be seized for use in legal disputes.³⁷ Collections of documents such as those from the Plumpton and Armburgh families, the Pastons' and Stonors' fifteenth-century contemporaries, were preserved through legal mechanisms.³⁸

³⁶ Davis, *Paston Letters, Part I*, 228.

³⁷ Truelove, "Literacy," 85-86.

³⁸ Refer to Joan Kirby's *The Plumpton Letters and Papers* to trace Sir William Plumpton's protracted legal battle. After the death of his sons from his first marriage, he attempted to divest his two

Source limitations aside, the letters are particularly helpful for uncovering the nature of social relationships within the nobility and gentry. The structure of epistolary writing not only embedded the letters in multiple rhetorical layers, but also set conventions for culturally coded modes of address, style, language, and tone. For example, there would exist a marked contrast between an upper class woman's formal letters to the queen, which obeyed the rules of manuscript spacing, presentation, and deference, and her brusque and authoritative letters to servants. Late medieval English society was profoundly hierarchical, and women's behaviors and identities were shaped in relational terms, taking into account their position vis-à-vis that of their husbands, children, in-laws, social superiors and subordinates. Understandings of social relationships were fluid and continually negotiated and re-negotiated throughout the aristocratic female life cycle, thus causing the balance of power within gendered and other social or familial relationships to expand and contract in tandem with the frequent vacillations between asserted autonomy and dependent femininity. Because social relations were inscribed in correspondence, a study of late medieval women's letters reveals not only that women played an active role in kinship and patronage networks, but that the practice of writing itself served as an informal avenue of power. Letters allow us to examine the relationship between the actual lives of elite women in late medieval England and the patriarchal arrangements that restricted their choices and scope of action.

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granddaughters of their inheritance in order to bequeath his entire fortune to his illegitimate son instead. The bulk of the material is dated between 1480 and 1510, slightly later than the targeted time frame of this paper. See Christine Carpenter's edited volume *The Armburgh Papers: The Brokholes Inheritance in Warwickshire, Hertfordshire, and Essex, c.1417-c.1453* for insight into another fifteenth-century lawsuit over inheritance, this time of a family from the Midlands. Robert Armburgh pursued his claim to the estates of his deceased wife, the heiress Joan Armburgh. He was unsuccessful in the end and Joan's property was parceled out to a number of heirs. While neither collection possesses the scope or depth of the Paston and Stonor letters, the Plumpton and Armburgh papers help shed more light on late medieval English gentry life.

The practice of letter-writing employed socially-coded and gendered linguistic conventions, exhibiting the relationship dynamic between the author and recipient. Margaret's letters to her husband customarily open with the same formula: "To my ryt wurchipful mayster Jon Paston be this delyueryd in haste. Ryt wurchipful hosbond, I recommawnd me to you." ³⁹ In writing to her partner, Margaret observes letter-writing etiquette and custom. Nearly all of her letters, the majority of which are addressed to her husband, exhibit some variation of the same epistolary expression. Margaret's deferential, as opposed to authoritative, language in referring to her husband as her "mayster" and "ryt wurchipful hosbond" indicates her awareness of her more modest social status in relation to his. In theory, late medieval gender codes created the expectation of the dutiful and obedient wife and Margaret remained obligated to perform this role to a certain extent. Nevertheless, male authority was not absolute: Margaret removes the overly respectful terms of address in writing to her sons John Paston II and John Paston III to don the voice of maternal authority instead. The localization of authority in everyday practices impacted identity formation and represented a locus of power that women employed to different degrees of effectiveness. While female letter-writers did construct their identities in relation to gender, it was not a singularly restrictive category and did not wholly preclude women from exercising influence within their familial and larger societal networks. Even the power dynamic between husband and wife was subject to change as women accumulated greater social capital over the course of their lifetimes. Like men, aristocratic women had careers, gaining prestige and becoming more powerful as they matured. Though often in service of their husband's interests, aristocratic wives who performed their duties successfully were entrusted with handling both cash resources and property. Women presided over the kin, neighbors, clients, and servants living in their households while their husbands were away. Once widowed, women were freed

³⁹ Davis, Paston Letters, Part I, 227.

from coverture and carried out their tasks with newfound independence. As we have seen already with Margaret's correspondence, late medieval Englishwomen's letters underline the continual back and forth between obedience and empowerment throughout the course of aristocratic women's lives.

The rhetorical form that late medieval women's letters took in and of itself points to both the affirmation of hierarchical gender relationships and the plasticity of patriarchy. Women's agency in this context is relational and shifting. Historians working in different periods have debated over how to define the term "agency," modifying the concept to fit the spatial and chronological dimensions of their projects. Modern historians like Jeanne Boydston have pushed back against the idea of the male-female binary that Western discourse on women and gender tends to take for granted. Boydston contends that polarized notions of gender do not always work in different epistemological cultures. In Native American and African tribal traditions, for instance, the masculine-feminine power division may be inverted or gender identity may not necessarily be fixed in male and female reproductive bodies. 40 While I do believe that Margaret Paston conceived her notions of selfhood relative to her husband, children, servants, and extended kin, she certainly would not have had the conceptual vocabulary to think of her writing in such a reflexive manner. The terminology I impose in my analysis is etic, which can be useful for purposes of historical inquiry, but Margaret's expressions of affection for her husband and of frustration over her family's property disputes are emotions that need to be historicized and viewed with regard to her cultural milieu. Boydston's opening of the question of gender as an area of historical analysis is intriguing and informs this discussion of late medieval women's agency by serving as a point of contrast. Unlike in the contexts that Boydston describes, gender

⁴⁰ Jeanne Boydston, "Gender as a Question of Historical Analysis," *Gender & History*, Vol. 20, No. 3 (November 2008): 558-583.

in fifteenth-century England was not imagined in terms outside of "male" and "female." Patriarchy was the dominant ideology and any expression of female independence had to fit within the system. Early modern English historians such as Megan Matchinske recognize this paradox but contend that we begin to see the creation of self-constructed yet state-centered identities in the sixteenth century. Agency here is defined as "a set of variable qualities that are taken up as a way of negotiating ["a series of movements produced in the course of social life"] and thus of understanding and coping with social relations." In this paper I will use the term "agency" to indicate the ability of women to influence outcomes that benefitted either themselves or their families. Fifteenth-century elite women's "agency" was flexible, contingent on their understanding of the malleable nature of their social position and autonomy as a result of changing kinship and financial conditions. The agency of the Paston and Stonor women operated on a sliding scale that was influenced by macro-level changes to population and politics, but mostly practiced outside established patriarchal institutions. In the broader historical sense, women's agency increased following the Black Death because they controlled a higher proportion of landed wealth in relation to men than they had pre-1348, and wealth brought opportunities for exercising power. For instance, Margaret's will reveals that by the end of her life, she held authority over her tenants, her children, grandchildren, and daughters-in-law, all of whom for she left bequests, or legacies. 42 Her fortune allowed her to provide for them and such relationships demanded certain deferential obligations in return. On the individual level, Margaret saw her standing improve over her lifetime as she had children, arranged their marriages, and managed more of her husband's estate. In the next section, we will first focus on

⁴¹ Megan Matchinske, *Writing, Gender, and State in Early Modern England: Identity Formation and the Female Subject* (Cambridge: Cambridge University Press, 1998), 12.

⁴² Davis, Paston Letters, Part I, 383-389.

the development of agency at the micro level throughout the aristocratic female life cycle before returning to our macro-historical survey in Section Three.

Section 2

The Aristocratic Female Life Cycle: Patriarchy and Autonomy

The personal nature of the Paston and Stonor documents is particularly helpful for offering a schematic from which to examine gender roles at various points in the aristocratic female life cycle. Historians such as Barbara Harris have argued for the importance of the uxorial cycle in examining the shifting power dynamic between husbands and wives as inexperienced brides settled into their positions as wives and mothers. Elite women maintained an advantage over women of lesser means because the responsibilities they carried out over the course of their lives embraced political and economic dimensions in addition to domestic importance. By acquiring both material resources and social capital, aristocratic women increasingly gained leverage over male relatives and freedom of action in their everyday lives. This section will illustrate the processes that advanced the agency of the Paston and Stonor women on the horizontal level.

The first phase of the uxorial cycle began when a man initiated the courtship rituals or when the families of each of the two parties arranged a match. Whereas a pronounced gap in age at first marriage between the bride and the groom was common in Mediterranean societies—the average age for men at first marriage was 30-32 while for girls it was 16-18—English boys and girls alike usually married young. English marriage laws followed the restrictions dictated by canon law, which prohibited children under the age of seven from legally contracting a marriage. Marriages contracted between seven and puberty were suspended until the children reached

⁴³ See Chapters Four, Six, and Seven in Barbara Harris's *English Aristocratic Women*, *1450-1550* for a fuller analysis of aristocratic women's "career" trajectory, or "course or progress through life" (5). Each chapter focuses on one stage of the uxorial cycle—wifehood, motherhood, and widowhood.

puberty—14 for boys and 12 for girls.⁴⁴ Under canon law, the consent of both parties to the union was a requirement to make a valid contract, though parents typically arranged marriages on behalf of their children. It was not uncommon for children from both the elite and lower classes to marry soon after the age of puberty. This meant that "most of them lived in their parents' or in-laws' household after their weddings and remained under their tutelage" and "gave birth to some or all of their children before they had households of their own."

The next step in the cycle came when the married couple became the heads of their own household. In the beginning, wives often felt insecure about proving their worth as their husbands' partners to both him and his family. Even Margaret Paston, as we shall see, found it difficult to overstep her mother-in-law Agnes's influence in Paston affairs. As they became more firmly grounded in experience, however, most wives assumed the role of their husbands' deputy partner. Consequently, "virtually all the substantial archives on Yorkist and early Tudor aristocratic families document wives who were actively engaged in managing their households and families." For husbands who frequently traveled between their various estates or who needed to continually attend to legal and political business in London, no substitute would prove more loyal or remain more constant with his interests than a competent wife. Heiresses, widows, and remarried women who already owned lands due to a dower or jointure were particularly active in commanding the household estates. In addition, the expansion of the monarchy under the Yorkists and Tudors afforded extended political opportunities in the form of royal patronage.

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⁴⁴ R. H. Helmholz, *Marriage Litigation in Medieval England*, Cambridge Studies in English Legal History (London: Cambridge University Press, 1974). See "Introduction" and Chapter Three, "Suits for Divorce and Incidental Marriage Clauses." Helmholz notes in his introduction that ecclesiastical jurisdiction over marriage disputes carried into the Reformation from the Middle Ages and even survived it, though not without reforms. On the whole, however, the alterations were slight and did not initiate the wholesale restructuring of marriage practices in England.

⁴⁵ Harris, English Aristocratic Women, 62-63.

⁴⁶ Ibid., 65.

Seeking offices within the royal household was a predominately male enterprise during the earlier portion of the Middle Ages. In the fifteenth and sixteenth centuries, however, women also began to strive for positions at court for themselves and their daughters. As women moved forward in the life cycle, they acquired knowledge regarding law and legal procedure and expertise in handling land transactions. Examining each stage in the uxorial cycle in detail will provide a more concrete explanation of this model of aristocratic wifehood.

The Lover

Perhaps no other set of letters better encapsulates the tension between the desirability of affection within marriage and the imperative of the upper classes to replicate status and transmit wealth by marrying well than the courtship letters of John Paston III and Margery Brews. The second son of John Paston I and Margaret Paston, John Paston III (1444-1504) was evidently known as a womanizer until his marriage with Margery, the daughter of Sir Thomas Brews of Sall and Topcroft. Margery herself came from a well-to-do family, though she was not an heiress like Agnes and Margaret. Margery's financial circumstances almost upended the match because her father stubbornly refused to increase the size of her dowry, the property or money given by the bride's family to her husband on their marriage. Every marriage in Renaissance Europe required a dowry—even domestic servants needed a dowry to get married. Typically, a dowry consisted of cash, goods, or land, and it was considered the bride's contribution to the marriage, intended to provide a start for the couple to establish a new household. Employing the metaphor of a marriage market, the dowry was the purchasing power of the bride and her natal family.

Both John and Margery's mothers attempted to remedy the dowry situation, and the match was

finally settled when Margaret generously bestowed her own manor of Sparham upon the couple.⁴⁷

In February of 1477, Margery wrote her first letter to John. Though she proclaimed her love and loyalty to him, she was also acutely aware that their budding courtship might end unsuccessfully without a promise of marriage. The reasons for this possible failure concerned money, rather than love. John and Margery's parents were currently in the middle of dowry negotiations, and even with Margery's mother "labor[ing] the mater to [her] fadure full delygently," Margery knew that her father would not budge in extending her dowry beyond £100 and 50 marks—significantly less than appropriate for a man of John's social standing. Margery was not, after all, her father's only daughter. For his part, he "felt the Pastons were asking for too much, and argued that he had to keep sufficient back to provide for his other daughters." Even if he married off one daughter extremely well, he still had to take care of his remaining unmarried daughters, either by supplying smaller dowries or by choosing not to marry them off at all. But as Margery later stated, if John could "be content wyth that good and... por persone" and allow his love for her to overpower the necessity of money, she "wold be the mervest mayden on grounde."

The narrative of John Paston III and Margery Brews presents an opportunity for not only understanding aristocratic courtship and marriage in late fifteenth-century England, but also the constraints involved in procuring such a match. John and Margery's courtship was played out during a period where marriage was a familial affair of the utmost importance, particularly for the daughters of aristocratic families. Barbara Harris notes that aristocratic women "from their

⁴⁷ Davis, *Paston Letters, Part I*, 1.

⁴⁸ Ibid., 662.

⁴⁹ Watt, Medieval Women's Writing, 151.

⁵⁰ Davis, *Paston Letters, Part I*, 663.

earliest years... were socialized to view themselves as future wives." Furthermore, "Parents also fostered their daughters' relationships with their kin and patrons in the hope they would promote the girls' marriages and careers as they approached adolescence."⁵² In addition to illuminating the spectrum that existed between marrying for love versus marrying for status and examining the significance of bride's dowry in marriage negotiations, the lovers' courtship letters illustrate each side's awareness of appropriate behaviors vis-à-vis established gender norms, and the variability that existed in such gendered constructs. When John initiated contact with Margery in 1476, probably after making discreet inquiries about finding a suitable bride, she likely knew that marriage to him was a possibility. The goals of marriage were twofold. The first and foremost objective was to "ensure their daughters' financial security and social position by marrying them to men of their class." Arranging an advantageous marriage between two affluent families did not only mean securing and maintaining the noble bloodline; the families also mutually benefitted from the other's wealth. That John and Margery were able to meet and begin courting each other in the first place stemmed from the fact that they moved in similar social circles. Secondly, aristocratic parents sought to secure sons-in-law from the most prosperous, politically influential families possible. If their daughters' marriages were successful, they enhanced the "natal families' status, connected them to more influential kin and patronage networks, and improved their position at court."⁵⁴ In the letter written by Margery to John referenced earlier, it is not overly presumptuous to assume that she was aware John was from a wealthier family than her own and that this knowledge informed the rhetoric of her

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⁵¹ Harris, English Aristocratic Women, 27.

⁵² Ibid, 27.

⁵³ Ibid., 43.

⁵⁴ Ibid., 44.

composition. Still, the letter is marked by the language of affection, and many contemporary scholars view John and Margery's eventual marriage as a love match.

John initiated the courtship with Margery in 1476, writing a love letter to her after only minimal interaction and exposure. The male was typically the active agent in the relationship and taking the initiative was standard for the men of his time. Suitors "frequently made known their intentions to the young women concerned and ascertained their feelings before making formal approaches to the parents." It was the man's responsibility to make the first move and the woman's responsibility to respond accordingly. John's letter set the tone and dictated how their courtship was to proceed. The onus was on John to make the opening bid while Margery was put in a position of response that was contingent upon receiving his first letter. She could not have known how to respond or how to gauge John's intent prior to seeing the letter. If Margery did in fact take the initiative, she would have transgressed gender norms and perhaps spoiled the match in her haste.

Nevertheless, there certainly existed a range of acceptable gendered behaviors. Where one fell on the spectrum of masculinity, femininity, and emotional expressivity varied considerably. John's letter is replete with the language of affection and promises of commitment, such as when he writes, "I beseche yow to thynk non other wyse in me but that I wyll and shall at all seasons be redy with Godes grace to accomplyshe all sych thynges as I have enformyd and desyred..." John's language here is meaningful in terms of self-representation and forwarding his objectives. He is attempting to attest to his permanent commitment, that he is willing to see it through thick and thin. He wants to assure Margery verbally that his intentions are true and

⁵⁵ Rosemary O'Day, "Tudor and Stuart Women: their Lives through their Letters," in *Early Modern Women's Letter Writing*, *1450-1700*, ed. James Daybell (Houndmills, Basingstoke, Hampshire: Palgrave Publishers Ltd. 2001), 132-133.

⁵⁶ James Gairdner, *The Paston Letters, A.D. 1422-1509*, *Volume 5*, 255. Gale Database. John Paston III's first letter to Margery is not included in the Norman Davis volumes.

serious. Even though he is hardly yet acquainted with her, he is "redy wythe Godes grace" to go forth. He continues to say, "[B]ut if it so be that a geyn my wyll it come of yow that I be cast off fro yowr servyse and not wyllyngly by my desert, and that I am and wylbe yours and at your comandmen in every wyse dwryng my lyfe." Though John asserts himself as a serious suitor, he also leaves Margery some breathing room in constructing her response. It is possible that she might reject his advances. He uses emotive language to signal that he is representing himself as a man in whom Margery can place her trust—someone honest who will stay the course, even if she throws him off. John makes himself vulnerable at the same time that he asserts his masculinity. Part of the reason he takes the risk of revealing the nature of his smitten feelings may be because he is already pleased with the prospect of marrying her. In any case, his behaviors are within the bounds of propriety and not outside the norm.

Likewise, the first letters we have from Margery to John are her two Valentine letters from February 1477, written over half a year after John's initial letter. Margery's letters are treasured as the oldest surviving Valentine's messages in the English language. The celebration of St. Valentine's Day has its roots in the medieval cult of the saint and the association of the celebration with the veneration of the Christian martyr continued into the fourteenth century. During Margery and John's time, the day was not widely understood as an occasion during which lovers expressed their commitment to each other through the exchange of gifts and tender words. The fourteenth-century English poet Geoffrey Chaucer was the first to connect Valentine's Day with choosing a lover in his *Parlement of Fowls*. The poetry of Chaucer and his late fourteenth-century contemporaries thus inaugurated the tradition of linking the saint to the expression of romantic love. Consequently, "[b]y the early decades of the fifteenth century, connecting the holiday to courtly conventions of "mannered love" became a literary

⁵⁷ Ibid., 255-256.

commonplace, so much that Lydgate imply used the term valentines as a shorthand for one's fairest love."58

As in John's letter, Margery's letters are replete with the language of love. Both of her letters begin with echoes of "Valentine." Her first letter begins, "Ryght reuerent and wurschypfull and my ryght welebeloued Voluntyne, I recommande me vn-to yowe full hertely..." Similarly, her next letter opens, "Ryght wurschypffull and welebelouyd Volentyne, in my moste vmble wyse I recommande me vn-to yowe..." While some of her language is formulaic, for her to use the phraseology in and of itself conveys a respect for her lover. She has enough positive sentiment to mobilize the use of intimate language and to inquire about his well-being, insisting she is "desyring to here of [his] welefare" even though she is "not in good heele of body ner of herte, nor schall be tyll [she] here[s] from [him]." 61 62

Margery's positioning of the central issue articulated in her letters—the uncertainty of her dowry—raises the question of whether her words are sincere or if she is manipulating them in an attempt to curry John's favor. Perhaps the expression here is too strong; her manipulation of language does not necessarily have to be taken negatively. Rather, she is being cognizant of her precarious situation by crafting a response aimed toward affirming her place in John's heart. We already saw in the introduction how Margery's mother attempted to persuade her father to raise her dowry, only to be refused. She relays this information to John, anticipating there might be resistance on his side. She preempts his dissatisfied response, declaring, "But yf that ye loffe me, as I tryste verely that ye do, ye will not leffe me therfor; for if that ye hade not halfe the lyvelode

⁵⁸ Leigh Eric Schmidt, "The Fashioning of a Modern Holiday: St. Valentine's Day, 1840-1870," *Winterthur Portfolio* 28, No. 4 (Winter 1993): 210.

⁵⁹ Davis, *Paston Letters*, *Part I*, 662.

⁶⁰ Ibid., 663.

⁶¹ Ibid., 662.

⁶² Ibid., 662.

that ye hafe, for to do the grettyst labure that any woman on lyve myght, I wold not forsake yowe."⁶³ The last part of the sentence echoes the promise John made in his letter that he would stay with her "at all seasons" during his life, even if he "be cast off fro [her] servyse."⁶⁴ Margery's letter draws on the emotive language John employed as a means of response. She observes epistolary norms by continuing the affectionate tone of their courtship, set first by John in his opening letter. Women in fifteenth-century England could only indirectly assert their power while operating within the structures of patriarchy. Margery was aware that she had to be careful in asserting her agency and expressing her desires; she must never appear as if she is commanding John.

Instead, Margery capitalizes on John's protestations of love by contending she believes John loves her enough to marry her despite her modest dowry. Her second letter is more straightforward, as she says, "And I lete yowe pleynly vndyrstond that my fader wyll no more money parte wyth-all in that behalfe but [£100 and 50 marks], whech is ryght far fro the acomplyshment of yowr desyre." Her emotional rhetoric once again must give way to the pragmatic. She must continually balance the two as she composes her letters. Margery knows it is in her best interest to secure the match, but at the same time it appears she has grown fond of John—or at least her perception of John. She continues, "Wherfor, yf that ye cowde be content wyth that good and my por persone, I wold be the meryest mayden on grounde." There is a layer of anxiety in addition to the layer of intimacy. She expresses her desire to marry John, but observing gender conventions, she also opens the door for him to say no: "And yf ye thynke not

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⁶³ Ibid., 662.

⁶⁴ Ibid., 255-256.

⁶⁵ Davis, *Paston Letters, Part I*, 663. Margery cites in her letter that her father will not extend her dowry beyond "an c li. and 1 marke." I reference John Warrington's figure of £100 and 50 marks so that my readers may get a better sense of the value of Margery's dowry.

⁶⁶ Ibid., 663.

yowr-selfe so satysfyed, or that ye myght hafe mech more good, as I hafe vndyrstonde be yowe afor, good, trewe, and lovyng Volentyne, that ye take no such labure vppon yowe as to com more for that mater; but let it passe, and neuer more to be spokyn of, as I may be yowr trewe louer and bedewoman duryng my lyfe." She proclaims her undving love for him in light of the possibility he might decide to break off their engagement if he believes could attain more money from another match. She appeals to his love for her while coloring her letter with her own rhetoric. Conceivably, she is trying to offset the economic disappointment that would come if he did in fact choose to marry her. She might be attempting to frame her letter in a way that lets John know that while he might suffer a smaller dowry if he marries her, he will lose a loving wife if he does not. To put it in economic terms, she proposes the idea of a compensatory economy. Her love has replacement value, compensating for what is lacking in dowry. Outwardly, she proclaims her commitment to him, but this is premised on her implicit understanding of John's affection for her. Once again, we can observe that Margery expresses her desire to finalize the match, but in a non-commanding manner expected of elite women of her time. This attitude of deference during courtship would carry over into the next phase of the uxorial cycle.

The Naïve Bride

Early marital correspondence between husbands and wives offer further insights into the nature of women's responsibilities and the level of submissiveness women were expected to express to their partners. We may conclude from the study of modes of address, writing style, language, degree of openness, and content of women's letters to their husbands that there was "the widespread existence of emotional as well as social, economic, and political bonds within

⁶⁷ Ibid., 663.

marriage... [and] mutual favourable expectations of conjugal relationships."68 The use of deferential language did not preclude the conveyance of emotion or affection. Communication through correspondence typically began during the initial stages of the marriage because men were frequently away from home—there would not be much need for written communication if no physical distance separated husband and wife. Elizabeth wrote a letter to her husband William Paston on September 12, 1476, about a year after their marriage, imploring him to return to her in London in order to avoid "the poxes" that are "ffull contagious": "Wherfore I wolde praye you, gentyll Cosyn, that ye wolde come hedyr... And yif that hit lyke you not so to doo, Gentill Cosyn, lettith me have hedyr some horsis I pray you, and that I may come to you, ffor in good faith I can fynde hit in my herte to put my self in jubardy there as ye be... For in good faith I thought never so longe sith I see yow..."69 Elizabeth's readiness to accompany her husband at Stonor despite the epidemic likely denotes genuine feeling; she also states that she "ha[s] not ben mery at [her] hert" during her stay at their London residence. A distinct difference in tone between female letter-writers' correspondence to their husbands at different stages of their lives points to their discernable personal development from a young bride who was "in a weaker position to exert power and influence" to "mothers of male heirs... [who] gained... maternal and social status."71

A group of historians from what has been called the "sentiments school" of family history believe that studying opening and closing epistolary modes of address may reveal "the nature of early modern relationships, and the degrees of detachment and rigidity, intimacy and affection"

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⁶⁸ Daybell, Women Letter-Writers in Tudor England, 200.

⁶⁹ Kingsford, Stonor Letters, 266-267.

⁷⁰ Ibid., 267.

⁷¹ Daybell, *Women Letter-Writers in Tudor England*, 203. Social and economic historian Michael Anderson termed the 'sentiments' approach to family history. See Anderson's *Approaches to the History of the Western Family*, 1500-1914 (New York: Cambridge University Press, 1995).

that permeated spousal relationships. ⁷² Applying a discourse analysis in this mold is especially apt to our study of the Paston and Stonor women. Looking at the level of formality or informality of a letter serves as an index for measuring the 'quality' of a marriage and provides a model for examining the play between subservience and assertiveness, as we also saw with the letters exchanged between John Paston III and Margery Brews. Although late medieval epistolary forms of address were typically standard and formal, we may nevertheless detect variations. Elizabeth Stonor commonly addressed her letters to William Stonor as "Right interly and best belovyd husbond, I recomaund me unto vou in my most herty wyse..."⁷³ Likewise, after Margery Brews married her Valentine, she referred to him in her letters as "Right reuerent and worshipfull ser, in my moste vmble vice I recomaunde me vnto yow as lowly as I can."⁷⁴ On the other hand, the sole letter that we have from Agnes Paston to her husband William Paston comes twenty years into her marriage and simply reads, "Dere housbond, I recomaunde me to vow..."⁷⁵ In all three cases, the wives exhibit respect towards their partners, but the range of phraseology shows that there remained room for some individuality. Closing formulae were more uniform, often signed "yours" or "by your ovne." Still, some women like Margery Brews preferred more deferential signatures, such as "Be yowre seruaunt" and "Be yowre seruaunt and bedewoman." 76 ⁷⁷ Late medieval women were no strangers to patriarchy and it was more advantageous to accept such power relations and carry out one's responsibilities and dutiful wife in order to gain the trust of her husband.

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⁷² Ibid., 204.

⁷³ Kingsford, Stonor Letters, 270.

⁷⁴ Davis, *Paston Letters*, *Part I*, 664.

⁷⁵ Ibid., 26.

⁷⁶ Ibid., 669.

⁷⁷ Ibid., 666.

As James Daybell notes, "The formality with which couples wrote is related to the fact that... marital correspondence was essentially pragmatic, a means by which couples communicated instructions and concerns, and kept up-to-date with matters relating to the running of households and estates." Letters were often sent for the purpose of issuing information, not for expressing affection. In making requests to their husbands, women positioned themselves as the supplicant. One of the first letters Margaret Paston wrote to John Paston I is from December 14, 1441, just one year after their marriage, when she was expecting her first child. She writes, "I pre yow, yf it be not bowt [bought], that ye wyl wechesaf to by [a govne cloth of mystyrddevyllers to make of a govne] and send yt hom as sone as ye may, for I haue no govne to werre this wyntyr but my blake and my grene a Lyere, and that ys so comerus that I ham wery to wer yt." A letter dated July 8, 1444 similarly reads, "I sopose I must borrowyn mony in schorte time but yf ye come sone home, for I sopose I xal non haue of hym. So Godd helpe me, I haue but iiij s., and I howhe nerre as meche mony as com to the for-seyd some." Young brides depended on their husbands for their livelihood, even when they entered the marriage with a dower or jointure because they were only permitted to tap into the funds on their own upon the death of their husbands. Referring again to the only item of correspondence from Agnes to her husband that survives, we see that even in 1440, twenty years after her marriage to William Paston I, she still entreats him to "byen for [her] [two] pypys of gold."80 Agnes does not make these requests to her sons after William's death, though at times she does employ her eldest son as an intercessor to collect payments from families in her husband's debt. 81 During the husband's lifetime, he controlled the use of his wife's marriage portion or inheritance; when he died, the

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⁷⁸ Daybell, *Women Letter-Writers in Tudor England*, 21.

⁷⁹ Davis, *Paston Letters, Part I*, 216. "Mystyrddevyllers," or musterdevillers, was a type of grey woolen cloth reputed to have originated in the Normandy town of Montivilliers.
⁸⁰ Ibid., 26.

⁸¹ Refer to Agnes's November 16, 1452 letter to John Paston I.

money would revert back to her and her family, as written into common law by the Magna Carta of 1215.⁸² Women entering their second or third marriages commanded greater resources after participating in multiple land transactions that were typical of marriage contracts between elites. Even a single marriage afforded opportunities for acquiring more experience and social capital. The next step in the paradigm of aristocratic wifehood is characterized by this shift in power.

The Experienced Wife

As elite women grew into their roles as wives and mothers, they assumed heavier responsibilities in managing the familial enterprise and accordingly conducted correspondence with their husbands with greater confidence. After ten years of marriage, Margery Brews remained affectionate towards her husband but she was no longer the blushing bride-to-be. A letter from Margery to John Paston III from February 10, 1489 is almost all business—she discusses the large whale that had washed up on the shore of Norfolk, the King's expedition to Brittany, and various payments to and from their family. The manner in which she lists the payments is almost mechanical: "Also, syr, Master Calthorp hath payd [100] merke to the Kyng. Also, syr, I have delyuerd the [£10] to Master Hawes and reseywyd of hym the oblygacion. Also I have delyuerd the [20] merke to Edmund Dorman be my brodyr Heydons comawndment." Margery's letter suggests a familiarity in handling business affairs for her husband. Marriage was a partnership and the wife's contribution was critical to the functioning of an elite household. As

⁸² Chapter 7 of The Great Charter mandates, "A widow, after the death of her husband, shall forthwith and without difficulty have her marriage portion and inheritance; nor shall she give anything for her dower, or for her marriage portion, or for the inheritance which her husband and she held on the day of the death of that husband." See Chapter 3 of *Wife and Widow in Medieval England* (titled "*Rationabilis Dos*: Magna Carta and the Widow's "Fair Share" in the Earlier Thirteenth Century"), a collection of essays edited by Sue Sheridan Walker, for a discussion of how the change in widows' legal claim to dower in the thirteenth century better protected them from alienation of property.

⁸³ Ibid., 669. The actual monetary amounts from Margery's letter are written as "j c merke" "x li.," and "xxti merke," respectively.

such, "the career of aristocratic wivehood encompassed and shaped both the emotional and material dimensions of their lives." A continual feedback loop between autonomy and outward obedience, de facto authority and wifely submissiveness exemplified the mutually dependent relationship between husband and wife. Behind late Yorkist England's pervasive patriarchal institutions stood the everyday reality of female independence.

Motherhood represented a crucial avenue through which women could cement their positions within their husbands' families. By bearing children, they safeguarded their husbands' lineages and thus, as we will examine in the next chapter, reproduced systems of patriarchal dominance by allowing property to be passed down the patriline. In fulfilling their prescriptive roles as mothers, aristocratic wives not only increased their kinship leverage but also took on the additional responsibilities of overseeing their children's education, establishing career and marital connections for them in conjunction with their husbands, and ensuring that all of their sons and daughters received adequate inheritances. Motherhood constituted a reality for the great majority of late Yorkist aristocratic women, with ninety-one percent bearing at least one offspring, nearly forty percent bearing five or more, and only slightly under thirty percent bearing six or more. The figures cited do not include stillbirths or infants who died before early childhood, so women presumably gave birth even more frequently.⁸⁵

In writing to their children, aristocratic women donned the matriarchal voice of authority. While they still adhered to the standard epistolary forms of opening address and closing signature, they spoke plainly and with much less affectation compared to when they wrote their husbands. Agnes presented a list of tasks to one of her sons on January 28, 1458 in which she demonstrates interest in her youngest son Clement Paston's education. She directs an elder son to

⁸⁴ Harris, English Aristocratic Women, 87.

⁸⁵ Ibid., 99. Also see Thomas Henry Hollingsworth, *The Demography of the British Peerage*.

"prey Grenefeld to send [her] feythfully word by wrytyn who Clement Paston hath do his devere in lernyng." If Clement has not done well, then she forwards her permission to Greenfield, Clement's tutor, to "belassch" or whip her son; if Clement has indeed displayed "good rewyll and lernyng," then she will "geue hym [10 marks] for hys labore." Although Agnes was not directly responsible for teaching her sons, she nevertheless stayed informed of their health, educational progress, and day-to-day needs; in the same memorandum, she asks her son to inquire if Clement needs any of his gowns to be brushed up. Boys living in fifteenth-century England received male tutors from the age of six or seven who taught them how to read and write in both English and Latin. 87 Aristocratic daughters, on the other hand, were taught needlework, weaving, and other housewifery tasks, including knowledge of herbal medicine.⁸⁸ From a young age, social rearing prescribed a divide between gendered activities and behaviors. Both men and women conceived of their gender identities in relational terms: whereas William is Agnes's "worshepefull housbond," to whom she owes dutifulness, John Paston I is her "welbelouyd son." Both designations refer to men in Agnes's life, but only the first address displays deference. Nuances were present within gender categories. Women did not behave the same way towards their husbands as they did their sons. The various social relationships that aristocratic women formed subsequently directed much of their lives and remained pronounced even when they became seasoned mothers, though they did tend to become more vocal about their own ideas in later phases of the uxorial cycle.

A letter from Margaret to her eldest son John Paston II written in the midst of the Paston family's ongoing legal battles with John de la Pole, Second Duke of Suffolk, show her

⁸⁶ Davis, *Paston Letters*, *Part I*, 41-42.

⁸⁷ Nicholas Orme, *From Childhood to Chivalry: The Education of the English Kings and Aristocracy,* 1066-1530 (London: Methuen, 1984).

⁸⁸ Harris, English Aristocratic Women, 32-39.

instructing him to prepare for a likely attack from the Duke. The Duke of Suffolk, along with John Mowbray, Third Duke of Norfolk, William Yelverton I, and Gilbert Debeham challenged the family's claims to Sir Fastolf's lands. 89 Sir Fastolf was an English knight whose success during the Hundred Years' War left him fabulously wealthy. He apparently left a nuncupative will in the last days before his death on November 5, 1459 requesting that all of his lands and estates be bequeathed to his close ally and friend John Paston I, thus effectively disavowing the ten other trustees of his earlier will, including the Duke of Suffolk. Verbal deathbed testaments were not unusual in the late medieval period and Fastolf's nuncupative will was legally valid. The oral, as opposed to written, expression of the final will did invite uncertainty and competing claims. The Paston family's efforts to pursue ownership of the lands were rewarded in the end, but only after an arduous fifteen-year battle. On July 6, 1465, Margaret passes on the intelligence regarding the Duke's growing army of "grete pepyl" in Norfolk and Suffolk. She enumerates several commands, each beginning with "I wold," meaning "I want you to..." She tells her son to keep himself secure, to send his younger brother to stay with the Duchess of Norfolk, and to "byd Richard Calle send [her] word in a bylle of how many materys that he hath sent [her] husbond an answere of, the quych he sendt hom in diuers letters for to be sped here." 90 Margaret sustains her composure well enough to prompt her son, to organize and mobilize the family's servants, and to continue to carry out her husband's bidding. Aristocratic women's roles as intermediaries on behalf of their husbands and extended kin groups expanded over the course of their lives, especially as they became more comfortable with handling property disputes and legal proceedings. Nonetheless, they remained constrained under coverture. The implications of aristocratic wives' lack of Latin comprehension from their childhood years extended to

⁸⁹ Davis, Paston Letters, Part I, xlv.

⁹⁰ Ibid., 309.

womanhood; exclusion from education upheld the male-dominated system that promoted their legal exclusion. Unfamiliarity with Latin on the part of the overwhelming majority of elite women "increased [their] dependence on their male relatives and servants because it was the language used in legal and official documents, land transactions, manorial accounts, and court rolls." Consequently, elite women were obligated to operate under male authority to a considerable degree as long as they remained subject to coverture. The absence of a formal Latin education did not, however, exclude them from benefiting from lay knowledge of legal mechanisms that was transmitted in letters, household exchanges, and through personal experience. Given that this paper relies on written sources from a period when only a small percentage of the population could be considered literate, we must be careful not to overlook the fact that the preponderance of information circulated orally.

The Authoritative Widow

The uxorial cycle culminated in widowhood, when women were effectively freed from the confines of coverture. They could finally head their own households, utilize the income from their inheritances, and execute their husbands' wills. Parceling out payments and legacies to their husbands' creditors and testators required a partial gender role reversal; in order to receive the gifts and loan money owed to them, they had to rely on the widowed women. One of Agnes's letters to her eldest son that was written several years after her husband's death tells us about her position as financier. She writes to John Paston I: "[A]s for [the manor of] Horwelbury I sende you a bille of all the reseytes [receipts] syn the deth of youre fadere, and a copy wrete on the bak how youre fader lete [leased] it..." A tenant by the name of Gurney had been unable to pay his

⁹¹ Harris, English Aristocratic Women, 38.

⁹² Davis, *Paston Letters, Part I*, 38-39. Refer to Agnes November 16, 1452 letter to John Paston I.

rent, and Agnes urges her son to "write Gurnay and charge him to... purveye [provide] x li. [£10], for [he] owyt... be-syde [John's] faderes dette, xviii li. xiiii s. viii d [£18, 14s 8d]." Because Agnes now owned the Horwelbury manor, it was in her best interest to insist on the debt payments that had accumulated during William's lifetime and since his death in 1444. She also demonstrates her ability to negotiate, offering to "for-yeue [forgive] [Gurney] of the olde arrerages [arrears] x li., [if] he myte be mad to paye xx marc [20 marks]." If widows managed their property profitably, they could have greater wealth to distribute to the next generation of their families. Wives generally outlived their husbands because men died in wars, were more susceptible to diseases as a result of frequent travel, and were on average older at the age of marriage. Because women had a greater life expectancy than men, husbands often "situated them at the center of their patrilineages by leaving them large amounts of property beyond their jointures and dowers and naming them as their executors and guardians of their children."93 Carrying out the enumerated clauses regarding their children's portion of their husbands' wealth could prove to be an arduous task. As we will investigate in the next section, the intent to ensure adequate inheritances for all sons sometimes strained relations with the eldest son, otherwise the prime benefactor of primogeniture. Likewise, widows often still found themselves embroiled in property disputes over securing their jointures. Typically, aristocratic widows could not prevail in these disputes without the assistance of their natal or marital kin. Women remained embedded in interdependent family systems and could not exist outside of them. Thus the continuous paradox: fifteenth-century elite Englishwomen operated both within the legal and cultural structure and on its fringes, but they did not disassociate themselves from the system even after achieving independence. On the contrary, widows did not set out to remove themselves from a

⁹³ Harris, English Aristocratic Women, 128.

system that they could benefit from while observing from the side. Aristocratic women's agency existed on a spectrum, but that spectrum ran parallel to the scale of male agency.

Although women always remained a step behind men in the ideological sense, we shall examine next how late medieval demographic shifts resulted in the upward vertical mobility for some women and how this movement was protected by legal developments such as the establishment of equity law. Men like William Paston who dramatically increased their wealth initiated a paradigmatic shift in the fortunes and responsibilities of their wives as well. Agnes and Margaret's letters are rife with details concerning property matters because their husbands' ambitions led to the swift accumulation of large and numerous title deeds. When their husbands passed away, the widowed women inherited at least part of the wealth. Although the Paston family's claims to the landholdings were challenged, their correspondence demonstrates that women did, in fact, benefit from inter and intragenerational mobility. My discussion of the Stonor women has so far been constrained because they were members of an old gentry family whose lineage was less impated by the Black Death. Furthermore, the Stonor family took little part in the Wars of the Roses and emerged from the fourteenth and fifteenth century crises relatively unscathed. 94 The differences in the trajectories of the Pastons and Stonors and analogously, the content of their female letter-writers' correspondence, suggest that the consequences of the plague and military campaigns led to an improvement in the position of at least some women whose families benefitted from the events.

⁹⁴ John A. Wagner, Encyclopedia of the Wars of the Roses (Santa Barbara: ABC-CLIO, Inc., 2001), xxxi.

Section 3

Law, Property, and Society: Negotiating the Paradox

As we saw in Section Two, aristocratic women did well to carve out niches for themselves within Yorkist England's gendered hierarchy. However, the continuous feedback loop that secured male privilege from early childhood (with respect to education and available avenues of social participation such as the local bureaucracy and commercial activities) to societal dominance in adulthood checked the realization of women's agency. The arguments articulated by medievalists and early modernists such as Nancy Roelker and Caroline Hibbard that foreground women's contributions to politics and social life must be tempered by the counter-emphasis that women navigated a historical milieu where they were legally and culturally bound to patriarchal, patrilineal mechanisms. The scope of women's actions operated on the micro-level and through alternative legal strategies, but the design of patriarchy persisted. Rather than undercutting the significance of the Paston and Stonor women's actions by prescribing modern metrics of female agency, however, my aim has been to historicize, conceptualize, and specify what the idea meant in the late medieval English context. The focus of this final section will be to show that elite women did make gains in advancing their authority from the mid-fourteenth century to the end of the fifteenth century, even if these improvements did not escape patriarchal limitations. One useful way to do so is by examining what the letters say about property accumulating under the jurisdiction of noblewomen and by considering the interrelated demographic, legal, and political factors that occasioned the increase of women's land ownership in late Yorkist England.

Even over a century after the initial outbreak of the Black Death in 1348-1349, pestilence and death due to the bubonic plague continued to color the life experiences of the English people. We may locate references to the plague throughout the Paston and Stonor letters. In August 1465, Margaret writes that her cousin Elizabeth Clere has moved from Norwich to Ormesby and that Agnes intends to move to Caister "for the pestylens [pesilence] ys so feruent in Norwych that thay there no lengere a-byde there." In a letter dated November 5, 1471, Margaret expresses her trepidation regarding another outbreak that has just killed four of her companions: "As fore tydyngys, my coseyn Barney of Wychshyngham, Veylys wyfe, Londonnys wyfe, and Pycard of Tumlond be passyd to God; God haue here sollys. All thys howshold and this parych arn saue [safe], blissyd be God We leuyn in fere, but we wut not gweder to fle fore to be better than we arn here." Likewise, Elizabeth Stonor sends news of the plague's effects to her husband in September 1476: "I understonde that my brother and yowris is sore seke of the poxes: wherfore I am right hevy and sory of your beyng there, ffor the eyre of poxe is ffull contagious and namely to them than ben nye of blode." The repercussions of the demographic crisis on landed society becomes apparent when we consider the relative abundance of heiresses in the later medieval period. Even when male landowners did not leave a direct heir, female collaterals claimed the inheritance as high as sixty percent of the time, verses forty percent by male collaterals. 98 The totality of the plague's devastation on England and its implications for aristocratic women has prompted some historians to declare that "the later medieval period was the last great age of the heiress, partly because of a reluctance to disinherit heirs generally... and partly because of the length and depth of a plague-induced demographic

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⁹⁵ Davis, Paston Letters, Part I, 317.

⁹⁶ Ibid., 356.

⁹⁷ Kingsford, *Stonor Letters*, 266.

⁹⁸ Payling, "Social Mobility, Demographic Change, and Landed Society," 55-56.

crisis that deprived families of junior male heirs.", Despite her best efforts, Agnes was eventually killed by the plague in 1479, as was her son Clement I and her grandsons John II and Walter. The Paston women's preoccupation with maintaining their family's property comes as less of a surprise when we consider the instability of male succession in the fifteenth century in addition to the disputed ownership of several of their estates as a result of William and John Paston I's machinations.

Correspondence from nearly all of the women represented in the Paston family letter collection discusses concerns over property at one point or another. Only the two letters written by Cecily Daune and Constance Reynyforth, mistresses of Margaret's eldest son John Paston II (1442-1479), do not. Both women likely occupied a lower social stratum than the other Paston women and would not have been afforded the privilege of preserving their own property. Cecily Daune may have been a prostitute and Constance Reynyforth mothered John Paston II's only child, an illegitimate daughter also named Constance; that John Paston II never married and died without an heir further corroborates these claims. 100 Cecily and Constance's experiences differed from those of Agnes, Margaret, Margery and Dame Elizabeth Brews, Agnes's daughter Elizabeth Paston, and Elizabeth Uvedale Clere of Ormesby, a cousin of the family, who each addressed letters to their male kin on multiple occasions for the purpose of appealing for assistance in claiming ownership over their property. Even after being widowed, women still sought their male family members' expertise regarding the best course to "protecting [their] honour," as Elizabeth Clere phrased it in her letter from May 25, 1460. 101 In order to guard their rights and independence, women paradoxically had to rely on men—the inescapable consequence of living in a pervasive patriarchal system. Beginning from the thirteenth century,

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⁹⁹ Ibid., 62.

¹⁰⁰ Watt, The Paston Women, 126.

¹⁰¹ Ibid., 119.

however, England gradually expanded women's legal rights, which affected the ability of women to inherit both real and moveable wealth. When more land became available for women, particularly widows, to inherit in the late fourteenth and fifteenth centuries in the aftermath of the epidemics, they could point to decrees like the Magna Carta and assert their right to claim a portion of their husbands' property.

To further illustrate the significance of certain legal codes that had at least some bearing in practice, let us consider the case of Agnes Paston, the first woman to marry into the newly established Norfolk gentry family. Agnes's letters and drafts of her will detail a disagreement with her eldest son John Paston I over the provisions of her late husband William Paston's will. Under primogeniture, John would have been legally entitled to his father's inheritance as the eldest son in the patriline. This common law doctrine was rooted in centuries of precedent, dating back to the eleventh century. 102 However, Anastasia Crosswhite notes a contradiction: "Although in theory patriarchs wanted land and property to be controlled by eldest sons, in reality many men wished to guarantee the financial well-being of all of their children, including their daughters, as well as that of their wives." Agnes's claim that her husband, on his deathbed in 1444, told her that he wished to make corrections to his final will in order to ensure the wellbeing of his younger sons was therefore not an impossibility. The first of her letters that indicate concern for her two younger sons is from a message to John Paston I, dated November 16, 1452. Near the end of her letter, she mentions that Sir John Fastolf has recently sold his Hellesdon manor and appears to be planning to sell additional properties. She entreats her son to

Ward, *Women of the English Nobility*, 87. Ward states, "The development of primogeniture in the eleventh and twelfth centuries put emphasis on descent through the eldest son, but in the absence of sons, daughters were regarded as preferable to more distant male kinsmen..." Perhaps this qualification to the system of primogeniture was a contributing factor in Sir William Plumpton's case, whereby his granddaughters received his inheritance instead of his illegitimate son. See Section 1, note 14.

103 Crosswhite, "Women and Land," 1122.

"helpe and do [his] deuer that sumthyng were purchased for [his] [two] bretheren." We may deduce from one of Agnes's 1465 letters that John did not deliver on this request. It seems that relations between the two became strained after John's unwillingness to assist his natal kin. Agnes writes that she will only accept John's plea for forgiveness if she finds him "kynde and wyllyng to the wele of [his] fadres soule and to the welfare of [his] bretheren." Even though primogeniture did not prohibit younger sons and daughters from inheriting cash or moveable goods—chattel property—the eldest son received the main family estate. 106 John Paston I therefore held the title to Gresham Castle, a large and valuable property purchased by his father. As we may gather from Agnes's case, this patriarchal distribution of inheritance could create tensions between the eldest sons who benefitted from the system and their excluded family members. Agnes never remarried, but if she had decided against remaining a widow, she might have procured her second husband's assistance to carry out William's will, which included the task of securing her Oxnead manor, a request John Paston I appears to have ignored. Because aristocratic women's second or third husbands "benefitted from the incomes and movables the women brought into their marriages," they had an incentive to help their spouses appropriate property from the patrilineage of a previous marriage. 107

The three surviving fragments from drafts of Agnes's will, probably all written in 1466, confirm that she remained estranged from John Paston I up to her death. Her will states that John "had neuer ryght kynde wordys" to say to her after he learned of his parents' aims to restrict his inheritance. Agnes continues to assert William Paston's final oral addenda to his will in her own, claiming: "And in asmiche as myn husbond, whos soule God assoile, dyuerse tymes and

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¹⁰⁴ Davis, Paston Letters, Part I, 39.

¹⁰⁵ Ibid., 44.

¹⁰⁶ Crosswhite, "Women and Land," 1124.

¹⁰⁷ Harris, English Aristocratic Women, 164-165.

¹⁰⁸ Davis, Paston Letters, Part I, 49.

specially among othere the 3 day of the moneth, rehersed to me that the lyvelod whiche he had assigned to his [two] yongest, William and Clement, by his will in writting was so littill that they might not leve theron wythout they shuld hold the plowe be the tayle..." According to Agnes, William intended to gift one of his two younger sons with the "maners [manors] of Sporle and Bekham and no more" and the other with "al the remenaunt" of his lands. 110 John Paston I was to receive Gresham, but William left his wife "the reuercion [reversion] of suche lyvelode... after [her] decesse." The reversion in Agnes's name meant that she retained the right to use the property during her lifetime. In another fragment of her will, Agnes states that her husband also "assynyd to [her] the maneris of Paston, Latymer, and Schypden and Ropers in Crowmer fore term of [her] lyffe" in addition to "the manerys of Merlyngforthe, Stonsted, and Horwelbury, wyche wasse [her] own enheritans, and Oxned, wyche wasse [her] jontore [jointure]."112 If we take Agnes's words to be true, William attempted to support his other dependents by providing his sons with side properties and his wife with temporary control of land; this illustrates that at least for some aristocratic men, the desire to cater to their children's and wives' needs outweighed their commitment to the reproduction of patricharchal systems of land dominance. Even under patriarchal legal arrangements, elite women found themselves wielding considerable sway through their command of family property. Like primogeniture, the laws regarding jointures and dowers effected a disconnect between legally-coded ownership patterns and how these doctrines played out in practice.

One recurring concern articulated in the letters of the Paston women is the challenges mounted against them over the right to retain their dower and jointure properties, as we see here

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¹⁰⁹ Ibid., 45.

¹¹⁰ Ibid., 45.

¹¹¹ Ibid., 46.

¹¹² Ibid., 46.

in Agnes's case. Although the common law principle of dower is perhaps the most well known regarding women's property ownership, four other bodies of legal jurisdiction also regulated inheritance patterns: equity law, ecclesiastical law, manorial and borough customs, and parliamentary statutes. The system of equity law emerged in fifteenth-century England to mitigate the perceived harshness of common law, which did not recognize the property of married women. 113 Along with common law, equity generally impacted aristocratic women the most significantly among the five types of law. 114 As we may surmise from the word "equity." this set of legal rights and procedures aimed to "provide fairness, unhampered by the narrow strictures of the old common law or other technical requirements of the law." The right to jointure originated under equity law, allowing husbands and wives to jointly own property and widows to continue to receive the income from the land following their husbands' deaths. 116 Margaret and Agnes, both heiresses from wealthy families, held jointured land—the manors of Gresham and Oxnead, respectively. One of Margaret's letters to her husband John Paston I, Agnes's eldest son, reports how the Carmelite friar John Hauteyn "Seyd pleynly in this town [Norwich] that he xal haue Oxnede" with the support of the Lord of Suffolk. 117 The advantages of jointure over dower for elite families were numerous. Dower represented the second of the two main types of dotal transfer required for marriage, the first being the transfer of a bride's dowry by her natal family to her husband; the transfer of the dower, where the husband

¹¹³ Erickson, Women and Property, 5.

¹¹⁴ Crosswhite, "Women and Land," 1123. Refer to footnote 15.

¹¹⁵ See dictionary.law.com for the expanded definition.

Erickson, Women and Property, 25. According to Erickson, the word "jointure" did not appear until the mid-1400's. This does not contradict Jennifer Ward's claim that the idea of jointure began to develop during the thirteenth century (Women of the English Nobility and Gentry, 1066-1500, 7). The codification of equity law simply gave the practice of jointure, which had already become custom among the English people, a formal legal definition.

117 Davis, *Paston Letters, Part I*, 235.

constituted property for his wife, was the reverse relationship. 118 By the fourteenth century, a woman was entitled to one third of her husband's property for her lifetime per dower rights. 119 The reissues of the Magna Carta in 1217 and 1225 first stipulated that a widow "shall be assigned to her the third part of all the lands of her husband, which were his during his life" and that "[a] widow, after the death of her husband, shall immediately, and without difficulty, have her freedom of marriage and her inheritance; nor shall she give any thing for her dower, or for her freedom of marriage, or for her inheritance, which her husband and she held at the day of his death." Jointures were preferred to dowers because the equity law permitted heirs to immediately receive the main estate and, as we mentioned in Section Two, secured a fixed income for the remainder of the widow's life; the value of a woman's dower, on the other hand, could fluctuate alongside shifts in her marital family's wealth. Both jointure and dower properties, however, reverted to her husband's heirs upon her death. 121 The tradeoff was that the distribution of jointures and dowers "separate[ed] large amounts of land from the patriline for long periods of time." 122 Just as fathers circumvented primogeniture laws to provide for their younger sons and daughters, husbands financially supported their wives even if it meant sacrificing part of their male heirs' inheritance. Legal protections for women that developed during the Middle Ages thus supplied a foundational basis that strengthened the soundness of aristocratic women's property claims in the fifteenth-century.

Finally, we must consider the importance of the Wars of the Roses in disrupting fifteenthcentury patterns of succession. Though historians disagree about the scale and impact of the

¹¹⁸ Conor McCarthy, *Marriage in Medieval England: Law, Literature, and Practice* (Woodbridge, Suffolk: Boydell Press, 2004), 55-56.

¹¹⁹ Erickson, Women and Property, 25.

Refer to *The Second Great Charter of King Henry the Third* (November 6, 1217) and *The Third Great Charter of King Henry the Third* (February 11, 1225).

¹²¹ Crosswhite, "Women and Land," 1127.

¹²² Ibid., 1154.

Wars of the Roses on late medieval and early modern English society, understanding the consequences of the dynastic wars is consequential to this study because "they were fought mainly by the nobility and their retainers, not the general population," thereby disproportionately affecting the aristocracy. 123 John Paston II, Margaret's eldest son, was active in the court of Yorkist King Edward IV and was knighted at the Battle of Stoke Field in 1487. The Pastons, however, were loyal to the Lancastrian Red Rose while many of their rivals were loyal to the Yorkists. The Pastons' involvement in the wars was significant and although it was the men that fought, their deaths created complications for their wives back home. After the death of her first husband Sir Robert Poynings in 1461 at the Second Battle of St. Albans, Elizabeth Paston discovered that a man by the name of Sir Robert Fiennes "hath doon grete hurte in the lyuelode whiche perteyned to [her] husbond and [her] in the shire of Kent." 124 Sir Fiennes destroyed the estates left to Elizabeth by Sir Poynings because her husband "ordeyned [in] his wille that [Elizabeth] shuld have the rewell of all his lyuelode... and to take the issuez and profitez of the seid lyuelode to the fyndyng of [their] seid son [Edward], to paie his detteez and to kepe the right and title of the same lyuelode." Sir Poynings bequeathed his entire inheritance to his wife and son, which in addition to her jointure, included the manors of "Westwode, Estwell, Leuelond, Horsmonden, Totyndon, Eccles, Staundon, and Comebesden." Elizabeth accuses Sir Fiennes of "takying away [her] ryght and brekyng [her] seid husbondes wille," though she knew she could not resist her adversary on her own. 125 These details are from a December 15, 1467 letter to Elizabeth's eldest brother John Paston II. Born in 1429, Elizabeth was almost 40 years old at the time she wrote the letter, and she demonstrates her seasoned legal competence and knowledge of

¹²³ Peter C. Herman, A Short History of Early Modern England: British Literature in Context (Chichester, West Sussex: Wiley-Blackwell, 2011), 51.

¹²⁴ Davis, *Paston Letters*, *Part I*, 208.

¹²⁵ Ibid., 209.

her brother's political connections at the royal court. When aristocratic women risked losing their lands due to pressure from antagonistic male acquaintances, they enlisted the help of their male kin. She writes, "I hertely pray yow that ye will laboure vnto the Kynges highnes at yt lyketh hym addres his honorable lettres to be directed to be seid Robert Fenys, dischargyng hym vtterly of the menuraunce [tenure], occupacion, and receyt of the reuenuez of the said maners of Tyrlyngham and other... and that I and myn assignez may peasseblé reioce theym." Thanks to age and ten years of experience as her husband's financial and estate manager, Elizabeth knew what forms of redress applied in her case. Considering that Elizabeth was only recently widowed and freed from coverture, she displays impressive authority and tenacity, even though she did need to defer to her brother to carry out her requests. Her husband's final will shows that elite women in fifteenth-century England could and did inherit and control considerable property, partly owing to the disruption of war.

Elizabeth would go on to marry her second husband, Sir George Browne, in 1471; she was widowed once again in 1483 after Browne was beheaded for taking part in Henry Stafford, 2nd Duke of Buckingham's revolt against Richard III. Her final will attests to the fabulous wealth she acquired through her marriages. She provides a long list of her possessions, including her diamonds, sapphires, pearls, silk clothes, valuable household goods, and chattels. Women accumulated wealth throughout their lifetimes, especially if they remarried. As we have seen, fifteenth-century English aristocratic women could amass resources more readily than women living in the earlier medieval period because changes to England's demographic makeup enabled opportunities for women to fill the gaps left behind in male-dominated lines of inheritance. I do not deny that the common-law demands of patriarchy, such as primogeniture and coverture, continued to restrict women's actions. However, the evidence found in the correspondence of

¹²⁶ Ibid., 209.

Yorkist Englishwomen points squarely to the advancement, not the stagnation, of their social position in the fifteenth century.

Conclusion

The ascension of Henry VII to the throne in 1485 marked the official end to the Wars of the Roses and ushered in the new Tudor dynasty. While historians have traditionally cited the year 1485 as the end of the medieval period and the beginning of early modern England, a growing number of scholars have rejected this categorization and instead argue for continuity and slow pace of change. Barbara Harris supports this revisionist interpretation and argues that despite the political crises and unrest, political and legal institutions remained largely functional and intact. This view challenges the argument articulated by medievalists such as David Herlihy, JoAnn McNamara, and Suzanne Wemple that "women gain power, control of resources, and autonomy in periods of relative disorder and weak political and religious institutions." ¹²⁷ Indeed, as we have observed through the Paston and Stonor letters, the legal structures governing property inheritance in fifteenth-century England were very much active despite the ongoing epidemics and the episodic battles between the White and Red Roses.

Contrary to Harris's view, however, the correspondence also illustrates that late medieval England constituted a period where some women did, in fact, rapidly acquire wealth and by proxy, agency. Sometimes this was due to the death of the family patriarch or male heirs; other times a family's jump in social status laterally bolstered the wealth of all the individuals of the clan, including wives and daughters. Consequently, elite women also experienced an increase in autonomy as they moved throughout the life cycle. Did the fifteenth-century represent a "golden age" for women, then? To make such a sweeping statement would require simplifying the many contradictions that regulated Yorkist society. Herlihy, McNamara, and Wemple's view must also be qualified. If we compare the relative position of women prior to 1348 with their position in

¹²⁷ Harris, English Aristocratic Women, 13.

the fifteenth century, we may conclude that demographic restraints did affect the frequency whereby women could accumulate landed and social capital. The practical consequences of the historical shifts could not, on the other hand, alter the ideological structure governing entrenched understandings of gender. Women could never "become" male in the sense that they could never attain the level of freedom as similarly situated men. No matter what, women who married would be legal *feme coverts*; they could not stand as members of political institutions such as parliament; they were required adhere to certain standards of dress and conduct. In order to contend that women's position improved throughout the late medieval period, I must moderate the comparison by saying that women's position improved relative to *themselves*; I cannot conclusively draw any conclusions regarding changes in the status of women vis-à-vis that of men.

Following the late medieval period, the Tudor program of religious and political restructuring in the sixteenth and seventeenth century resulted in another set of paradigmatic shifts. King Henry VIII's break with the Roman Catholic Church in the 1530s and the subsequent reconstructing of England's political and national identify in the following decades "gave rise to an increasingly secular state in which common law and statutes came to dominate," where "increasing centralization strengthened national over local law," and "medieval manorial and borough courts also declined," resulting in a downturn in women's legal rights. New legislation not only affected the elite, but also had ramifications for England's laboring classes. The Statute of Artificers of 1563, for instance, enforced gender-specific employment for household servants, assigning men to husbandry and women to domestic service. Gender categories thus hardened and became coded into law. Amendments to statutory laws in the

¹²⁸ Ibid., 6.

Matchinske, Writing, Gender, and State, 3-5.

second half of the seventeenth century attempted to restrict women's property and inheritance rights more directly in exchange for securing the male head of the household's claims over family property. One example is the 1670 Act for the Better Settling of Intestates' Estates, which "severely impinged upon the justice of ecclesiastical courts' distribution of marital estates by cutting down widows with children to a one-third share and childless widows to one half." The greater abundance of early modern written sources and watershed affairs from the English Reformation to the Glorious Revolution make it difficult for historians to evaluate the gender themes cutting across fifteenth-century England in their own right and not from the vantage point of hindsight. The model that this paper has adopted appropriates a discourse analysis of individual female letter-writers' texts in order to extrapolate macro-historical trends. By prioritizing women's voices as opposed to impersonal legal documents and property deeds, we may discern the most pressing events and problems that occupied the lives of elite fifteenth-century Englishwomen.

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¹³⁰ Erickson, Women and Property, 6.

¹³¹ Ibid., 222.

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