

Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, c. 1170-1509 by Gwen Seaborne. Ashgate, 2011. Pp. 238. ISBN: 9781409417880.

In *Imprisoning Medieval Women: The Non-Judicial Confinement and Abduction of Women in England, c. 1170-1509*, Gwen Seaborne addresses many different facets of the imprisonment and abduction of women in medieval England. Through close examination of cases of non-judicial confinement and abduction and the legislation designed to address confinement and abduction, Seaborne is able to make several important arguments in her work, not least of which is that modern scholars too often look for agency and consent in descriptions of confinement and abduction of women in medieval English sources.

In the first three chapters, Seaborne examines the non-judicial confinement of women by royal command. This includes the taking of female hostages during times of war, the confinement of royal wards, whether due to minority or idiocy, and the physical location and condition of women's confinement. According to Seaborne, during the period under consideration it became more common to take male hostages rather than female hostages, a situation she explains through the greater opportunity to obtain ransom for fighting men. With regard to cases of wardship, Seaborne argues that whereas both men and women could be held as wards, women were more likely to be held for longer periods of time than men, even until the end of their lives. In both cases, Seaborne states that while the standards regarding the confinement of female relatives of traitors or female wards were vague, there do appear to have been expectations that the confined women would not be treated cruelly. In addition, because the number of official accounts of such confinement decreases over time, Seaborne argues that kings began to privatize the confinement of women from the 1400s onward.

In the next four chapters, Seaborne discusses the legislation regarding non-judicial confinement and abduction. In one chapter, Seaborne explores the royal statutes that were designed to curb abduction and punish the perpetrators. According to Seaborne, the royal statutes issued from the thirteenth to fifteenth centuries regarding abduction, or *raptus*, were all issued following periods of civil unrest, with the purpose of establishing, or reestablishing, royal authority and gaining the support of the class most affected by abduction, the nobility. Overall, however, these royal statutes were largely concerned with the property that might be lost due to abduction and less with the safety of the female victims themselves. Seaborne also explores the treatment of abduction and confinement under common law, as opposed to royal statute. Interestingly, Seaborne's

research indicates that there were more common-law pleas regarding male abduction than female abduction, but she argues that this was likely because it was viewed as more dishonorable for a man to be abducted. Regardless, Seaborne argues that those pleas involving female victims speak more to concerns of injury done to men, particularly through theft of their property, than to physical or emotional injury done to the women involved. Additionally, Seaborne's evidence demonstrates that it was more difficult for women to pursue cases of abduction through common law. Not only did women experience greater legal limitations than men under common law, such as an ability to enter a plea of rape but not a plea of abduction, but women and their families often could not meet the cost of entering pleas or were faced with intimidation or violence at the hands of the defendant or court officials. For these reasons, women and their families might appeal to the king, his council, Parliament, or the chancellor regarding abduction and confinement cases. Despite such attempts to seek justice beyond that offered by common law, Seaborne argues that these higher courts still tended to emphasize the threat to or loss of men's property and not the violence done to the female plaintiffs. Overall, Seaborne regards common law as supplying few remedies to women who were victims of abduction, confinement, and rape. In the final chapter in this section of the work, Seaborne examines the issue of women's "collusion" in their abduction and confinement. In contrast to modern researchers, who, according to Seaborne, frequently cite evidence of consent and draw conclusions of female agency, Seaborne argues that scholars must be cautious in accepting scribal reports of consent because, even in those cases in which women did give consent to a subsequent marriage if not the initial abduction, the understanding of consent in the medieval period was very different from our modern understanding of consent. In addition, even in cases where the man was clearly guilty, juries might still assume consent on the part of the woman because of questions regarding the woman's character or because of beliefs that women were complicit in abduction if they put themselves in a position to be abducted, such as being outside their homes. In these cases, Seaborne states that modern researchers should not assume consent along with the medieval scribes.

In the final section of her work, Seaborne discusses the other roles that women played in non-judicial confinement in medieval England. This included women who consented to confinement in nunneries, women who were themselves perpetrators of abduction or confinement, queens and noblewomen who were involved in the taking of hostages, women who colluded with hostages to help them to escape or who fell in love with hostages, women who were relatives of hostages, and women who acted to end the confinement of relatives or

acted as intercessors for non-related hostages. Seaborne's conclusion regarding this evidence is that modern scholars should consider all aspects of women's involvement in abduction and confinement, not just women as victims of or colluders in their own abduction and confinement.

Seaborne presents a vast amount of evidence from a variety of sources from the late twelfth century to the early sixteenth. However, her analysis of the evidence is often limited and brief, leaving the reader wishing for a more in-depth discussion of the evidence she presents. Similarly, in the introductory chapter Seaborne touches on the fields of history that her evidence embraces, but she does not go into detail regarding the relevant recent literature in the fields of women's, gender, legal, or medieval English history. A reader without a sufficient introduction to the current literature in these fields would have difficulty placing Seaborne's work into its proper scholarly context because of this limited literature review. Finally, while Seaborne's discussion of the uses and limitations of common law in cases of abduction and confinement is enlightening, much of her discussion of women as hostages in times of war and in cases of wardship, as well as her discussion of attitudes toward abduction and rape, echoes what other scholars have discussed in similar or greater detail. In the end, Seaborne's greatest contribution to the discussion of non-judicial confinement of women in medieval society is to urge caution on researchers who have increasingly chosen to overlook the negative aspects of abduction and confinement in their effort to emphasize women's agency in such cases.

Lizabeth J. Johnson
University of New Mexico