

*Married Women and the Law in Premodern Northwest Europe*. Edited by Cordelia Beattie and Matthew Frank Stevens. *Gender in the Middle Ages*. Woodbridge, Suffolk: Boydell Press, 2013. Pp. 260. ISBN: 9781843838333.

Medieval scholarship has emphasized the legal and economic dealings of widows and single women, who appeared more prominently than married women in legal records. The essays in this collection illuminate the legal identity of married women and demonstrate that wives were not hidden from view in legal acts. Framed around the theme of guardianship, as exemplified in the English common law concept of *coverture*, this collection offers a nuanced examination of the ways in which women navigated and negotiated the laws that conferred on them a new legal status at marriage. This compilation of eleven essays is organized chronologically, with studies examining legal materials from ca. 1200 to 1800. The majority of the essays focus on the Middle Ages and on regions relating to the English doctrine of *coverture*.

Essays pertaining to English common law stress the limitations of the influence of *coverture* as it was applied to women in different local contexts. Looking at instances where husbands and wives appeared as co-litigants in the Court of Common Pleas, Matthew Stevens's essay demonstrates that *coverture* did not prevent women from taking an active role in debt litigation in fifteenth-century London. While management of real property is often highlighted in studies of wives' legal activities, Stevens finds that wives were involved in a range of "economic-oriented lawsuits" that were non-land based. Stevens's skepticism on the comprehensive application of *coverture* in medieval London agrees with Miriam Müller's essay on peasant women in manorial English courts, which reveals that the concept of *coverture* did not depict the experiences of many married women in a manorial setting. Müller observes that married women's legal status and the application of English common law varied on a local level and depended on what the lord deemed most expedient. Elizabeth Johnson also finds that *coverture* was applied inconsistently in Welsh lordship courts, where husbands appeared in court with their wives (in line with *coverture*) only for certain crimes. Johnson's essay finds that the conventions of *coverture* were followed in cases of abduction, when husbands were often seeking reparations for lost property, and in other interpersonal disputes. However, in cases of criminal presentment for assault or defamation, married women often appeared in court on their own behalf, indicating that wives were held responsible for some crimes independent of their husbands.

Cordelia Beattie's essay examines legal theory in English Year Books

alongside Chancery court cases from ca. 1300 to 1535. Beattie finds evidence of a medieval principle similar to the “law of necessities,” an eighteenth-century legal concept that gave women the ability to act as the agents of their husbands when procuring household goods such as food and clothing. While a husband’s explicit prior consent was needed in the medieval period (as compared to the later law of necessities that considered it to be implicit), Beattie finds that women in medieval England were able to make contracts and to participate in a wide range of economic activities beyond procuring household necessities. Shennan Hutton’s essay looks at annual registers from mid-fourteenth-century Ghent, finding that the medieval oral custom was far more flexible in its definition of married women’s legal capabilities than the written custom redacted in 1563, which instilled a stricter interpretation of married women’s legal status that bore greater similarities to the practice of coverture. The more casual approach to women’s public action in Ghent was due in part to the fact that marriage in medieval Ghent was envisioned as an economic partnership, which enabled wives to manage both personal and community property.

While this collection is focused on coverture, several of the essays also address the influence of external kin groups on the marital couple and their estate. Lars Hansen’s essay addresses women’s legal capabilities in medieval Norway following the emergence of the National Law Code in 1274, which favored joint ownership. This gave the conjugal unit, both husband and wife, greater control of their estate over external kin groups. Mia Korpiola’s essay on marital disputes from late medieval Sweden focuses on cases of “gross neglect” (elopement or adultery), which could cause a spouse to lose his or her rights to the marital property. Korpiola notes that the Swedish marital property system placed rigid requirements on what a husband could do with his wife’s inherited land, and a woman’s kin could therefore take action if her inherited property was mismanaged by her husband. However, a deceased man’s kin could accuse his widow of adultery or homicide in an attempt to remove her rights to marital property, including the morning gift that was meant to maintain her in widowhood. Gillian Kenny’s essay investigates intermarriage and interaction between the legal systems of Gaelic and Anglo-Irish society. While the Anglo-Irish practiced coverture, a Gaelic woman’s main guardian could be her husband but was often a member of her natal kin group. Sheilagh Ogilvie’s essay on “gender guardianship” discusses the legal and economic activities of women in early modern Germany. Ogilvie focuses on the Duchy of Württemberg, where a woman’s guardian was often a male relative other than her husband.

In addition to illuminating married women’s engagement with the law, many

of the essays contribute to the study of women's economic activities. Essays by Johnson, Stevens, Beattie, Hutton, Spence, Shepard, and Ogilvie discuss how women's representation in the law reflected the various economic endeavors in which women participated, and to what extent their husbands' consent (assumed or explicit) was required to legitimate their business transactions. Cathryn Spence's essay investigates debt cases in burgh courts in Scotland from 1560 to 1640, noting the "economic visibility" of married women under local customary law. The legal records demonstrate that married women were often the principal actors in debt cases, and they appeared in debt litigation as money-lenders and as sellers of cloth, wine, and ale. Alexandra Shepard's essay consults witnesses' descriptions of their net worth in church court records in early modern England. While the majority of deponents referred to the conventions of coverture, many married women described their active contribution to the household economy or their independent business dealings.

While the introduction notes points of convergence among the essays, a concluding chapter would have served well to draw connections between these fascinating studies, as engagement with other essays in the main text is usually only referenced in footnotes. This excellent collection is important reading for any student interested in the intersections of legal identity, marital status, and economic power.

*Sarah E. Hanson*  
*University of California, Santa Barbara*