
Introduction

THIS BOOK EXAMINES the place of noblewomen in twelfth-century English and, to a lesser extent, Norman society. An initial justification for such a study is that the place of noblewomen in twelfth-century English society has not hitherto been systematically addressed as a subject in its own right. This is in contrast to Anglo-Saxon and late medieval women, on whom there is considerable historiographical debate. Some of the roles of women in twelfth-century English society have of course been studied, particularly women's tenure of dower, *maritagium*, and female inheritance. However, much that has been written about twelfth-century women has been done to the dictates of an oscillating male-centred historiography about the creation of institutions, or otherwise of male lordship or 'feudalism'. The dominant historiographical discourse which considers dynamics of power in twelfth-century society is that of the study of the multi-faceted construct that is conventionally called lordship. This book will analyse the roles of noblewomen within lordship and in so doing will clarify important aspects of noblewomen's power. The analytical framework upon which the book is constructed draws on recent theoretical developments in the history of women and power and utilises traditional scholarly approaches to the study of the twelfth century. In so doing it re-defines the nature of twelfth-century lordship.

The debate on the roles of medieval women has moved a long way from seeing them as victims of male dominance, and the ideology of separate spheres has been superseded by recent theoretical insights which consider the importance of gender and the impact of the female life cycle on the roles and power of women. Indeed, modern writers on the history of women, such as Judith Bennett, Maryanne Kowaleski and Joel Rosenthal, have raised important questions about the importance of gender as a category of analysis to explain the complexity of women's

societal subordination.¹ A gender-based analysis considers that the differences in the social identities of men and women, the way that men and women exerted power and influence in society through complex power structures such as the family and lordship, were crucially affected by societal expectation of men's and women's roles based on ideas about the physical, mental and psychological differences between men and women.² The inculcation of such expectations was manifested through ideologies which were internalised differently by men and women.³ These approaches are applicable to twelfth-century society because of the multiplicity of references to female–male interaction, collaboration and difference within contemporary documents.

The paradigms offered by Pauline Stafford and Janet Nelson illustrate ways that a more complex explanation of twelfth-century women's power can be achieved. Stafford and Nelson have done much to clarify the importance of the interactions of the female life cycle and gender in constructions of female power. Stafford convincingly dismissed models of society which seek improvements or decline in women's position or place in society since this undermines important questions concerning the complexities of status measurement. Stafford further argued that the powers of the eleventh-century queens Emma and Edith had multiple bases, through land tenure and in 'marriage and maternity'.⁴ Stafford is interested in explaining queenly power in terms of the impact of the female life cycle and the specific political and cultural contexts of late eleventh-century England. In particular Stafford and Nelson are clear on the antipathy of male clerical writers to the portrayal of powerful women, a phenomenon not unique to eleventh-century England.⁵

Constructions of male power and influence as lords in their own right rested on enfeoffment of their lands or inheritance, or knighting. Both were the keys to public function, as well as office holding. For women marriage as entrée into public life served the same purpose, but crucially women's role in relation to public power was differently defined. The multiplicity of meanings of noblewomen's social power is better accommodated within a wider framework which can explain the significance of, for example, women's informal unstructured power to influence events, not as the logical outcome of a system in which women were subordinate to men, but as a result of the conflicting and complex series of ways in which any individual was closed or excluded from power. Thus powerful women as wives and widows may have class interests or political interests, which they defend, but they are also subject to categories of gender which interacted with their other identities. The importance of multiple identities in twelfth-century culture has

recently been investigated by Ian Short, who argues that the Anglo-Norman English sought to maintain a sense of cultural distinctiveness, and in so doing they perpetuated a sense of social exclusiveness.⁶ This model of self-definition thus unconsciously draws on elements of closure theory to explain increasing twelfth-century aristocratic elitism.⁷

Lordship is one way that such elitism was expressed. Lordship remains at the heart of many interpretations of the twelfth century and its nature has been vigorously debated since the publication of Stenton's *First Century of English Feudalism*.⁸ Stenton used charter evidence to depict a seigneurial world in which the unity of the honour, and thus honorial society, was expressed through the *honor* court, guardian of feudal custom.⁹ Stenton was interested in lordship as a male role,¹⁰ and his concern with the definition of the internal workings of the *honor* as male-dominated led him, like Maitland before him, to ignore women and to assume that they had no public role.¹¹ Although the evidential base from which Stenton drew his conclusion, charters, is narrow and necessarily throws the spotlight on the *honor*, it is the lack of a sophisticated paradigm with which to explore nuances of the evidence that is the key problem.¹²

Such a paradigm can utilise some of the approaches to the study of lordship taken by Paul Hyams, Paul Dalton, David Crouch and John Hudson; the ways in which women could exert power can thereby more easily be explained.¹³ These recent revisions have clarified the meaning of lordship, land tenure and the importance of the bonds of lordship and hierarchy, and show the complexities and contradictions of twelfth-century lordship, but have yet to incorporate an analysis of noblewomen's power within lordship. For example, Paul Dalton argued that when Agnes de Arches in the reign of Stephen granted land to the nuns of Nunkeeling without the involvement of her lord this shows the weakness of seigneurial lordship and poses a challenge to Stenton's model of society;¹⁴ he declined, however, to draw any conclusions about its implications for the confidence and power of a noblewoman to act independently in the context of religious benefaction.

If, as ideas about property emerged, the key relationship in society was between tenant and land, 'not tenant and lord',¹⁵ this has particular resonance in the context of female land tenure, because the nature of the lands held by women, in particular dower and *maritagium*, affected their powers of alienation, inheritance and, crucially, their place, power and identity in society. It also affected their inheritance patterns.¹⁶ If, in addition, modern hierarchical patterns of thinking obscure the complexities of twelfth-century hierarchies,¹⁷ this is instructive when we

consider women, since twelfth-century clerics were themselves aware of the importance of gender, marital status and class when they discussed women. Further, it can be argued (in opposition to Stenton's view of personal relationships as the glue which held society together) that during the twelfth century warranty, an important function of lordship, became institutionalised;¹⁸ but this has a particular relevance for the study of women, since women gave and desired warranty contracts in their charters.

Approaching the subject from a different angle, it can be observed that historians have long been interested in the importance of married women's property and the complexities of dower, since Florence Buckstaff's seminal article of 1893 tracing married women's property and George Haskins's study of dower.¹⁹ This interest has necessitated at least a minimal consideration of the implications of gender. Haskins, who saw lordship and military service as the key to understanding society, believed that the principle of dower was in opposition to 'feudalism', since women were 'useless for performing suit at court'. More recently, however, Joseph Biancalana traced the developments of writs of dower to clarify the way that common law developed and stressed that dower was necessary to the structuring of land and marriage markets.²⁰ Janet Senderowitz Loengard analysed dower to argue that its allocation was open to many variables, militated against the consolidation of family lands and could cause litigation, confusion, and in practice could alienate lands away from the patrimony for long periods. More significantly, dower brought women into the courts, actively pursuing or defending claims. For Loengard dower was 'the medieval woman's insurance policy' which turned 'accepted convention on its head'.²¹ Loengard is influenced by feminist scholarship, which stresses female action and power, whilst as a legal historian Biancalana is more interested in the legal implications of dower. Both approaches, their roots in the quest for an understanding of patterns of land tenure which stretches back to the inception of British medieval studies,²² imply that an understanding of the gendered nature of lordship will have implications for our understanding of land tenure in general.

Sir James Holt's analysis of twelfth-century social structures saw noblewomen as pawns of men, used to seal political alliances through marriage, their key role being to transmit land and titles to their husbands. Holt's view is important for the way it located the interactions between the key structures of family and lordship which defined twelfth-century women's roles. His study of *maritagium*, dower and inheritance, heritability of title, and the development of the custom of

parceny in the 1130s and 1140s set women's roles into the context of the interactions between family and royal lordship.²³ Jane Martindale similarly argued that female succession and thus women's role in transmitting lands and inheritance were established as acceptable in the first decade of the twelfth century, but emphasised that women's inheritance was often a source of instability.²⁴ Crouch sees women's land tenure as a threat to family hegemony and resources, and views women's role essentially in a similar way to Holt and Martindale – that is, to ensure the transmission of blood line and land.²⁵ Inheritance by women has been discussed by Eleanor Searle in terms of women's role in legitimising the Norman Conquest through marriage.²⁶ John Gillingham and RaGena DeAragon have shown the political and strategic nature of marriage in the twelfth century.²⁷ S. F. C. Milsom analysed female inheritance in the twelfth and thirteenth centuries.²⁸ Like Holt, his analysis is set into a context of the importance of family and 'feudal' interests in female land tenure with an emphasis on women's role in the transmission of lands, but Milsom's interest was in the development of the legal framework and definitions of women's land tenure and female inheritance patterns. Milsom stressed the difference in nature between customs of male and female inheritance.²⁹ This latter insight is crucial for understanding the gendered constructions of women's power through land tenure within twelfth-century society. Milsom's analysis of the checks and balances within inheritance structures, to counter the potential instabilities caused by female inheritance, defines women's land tenure as the locus of these conflictive, mutable 'feudal' and family interests.

Scott L. Waugh also saw fluidity as a key determinant of women's land tenure, finding, for example that there was no mechanism for enforcing the allocation of marriage portions to women, allowing lords 'wide discretion'.³⁰ Fundamentally, Waugh found that women's inheritance became more structured, owing to royal bureaucratic procedures, rather than, for example, the impetus of families who wanted to see daughters well endowed and therefore more marriageable. Judith Green analysed women's land tenure in the context of royal interference in the affairs of noble families. She also stressed the fluidity of the rules about female succession and emphasised the political nature of women's inheritance around 1100. This re-evaluation of the evidence relating to female inheritance shows how it became significant in the specific political circumstances of the reign of Henry I. However, she argues that women were fundamentally 'counters used in political bargains' conducted by male strategists, and thus essentially follows traditional interpretations of the place of women in contemporary society.³¹ Pauline

Stafford, on the other hand, questions such a framework and, for example, argues that royal women could be thrust into prominence during periods when male kin were insecure through political instability. In such a context women could effect their own policies and initiatives.³²

Holt, Milsom, Green *et al.* emphasise the potential instabilities caused by female land tenure, and the potential political and social conflicts and tensions caused by female succession systems when they developed in twelfth-century England. This is a formidable body of scholarship which has clarified important aspects of female land tenure and shown noblewomen as an element in the exercise of lordship. The importance of this and, by extension, the possibility of women's power as active participants therein is not clarified directly, because the authors are interested in discussing succession systems and rules of inheritance, or feudalism and lordship, not in discussing women's power. Yet much can be learned about women's power from these interpretations. For example, inadvertently, like so many of the scholars just discussed, Milsom has begun to analyse gender systems. Modern scholars, without necessarily consciously seeking to do so, have placed women at the centre of debates about twelfth-century power structures. For example, if we accept Milsom's contention that male and female customs of inheritance were different in nature, then it can further be argued that identity, intimately associated with land tenure, was gendered. Such identities, as wives, widows and daughters, defined the participation of twelfth-century noblewomen in land transactions. Such categories of land tenure did not apply to men in the same way because their access to resources was structured around different gendered identities.³³

In a wider context this book is intended as a contribution to the debate over the role and meaning of female power in the context of the interaction of gender and lordship in twelfth-century society. It is deliberately wide-ranging, since – arguably – it is possible to analyse the dialogue between text, gender and society only if different types of evidence are taken fully into account. The charters analysed include selective surveys of original charters held in the Public Record Office and the British Library. Monastic cartularies such as the cartulary of Stixwold have been considered. These charters, and collections of charters, are used in Chapters 4–8 to re-examine women's power as expressed through lordship, and ultimately to reconsider the nature of lordship itself. In conjunction with this, the book sets out to bring together a *corpus* of previously unanalysed seals to consider their text and image, and sealing practice itself, as an indicator of women's power. Twelfth-century writers discussed in Chapters 2 and 3 include Orderic

Vitalis, William of Malmesbury and William of Newburgh, and the analysis considers the way that women appear in these texts, but also the extent to which women could influence their creation, and thus considers the limitations of those texts as a guide to women's power. The 1185 *Rotuli de Dominabus*, a complex and under-utilised source, is analysed in Chapter 9 to consider the way that royal authority and the law shaped the experience of noblewomen, but also to provide a cautionary account of the degree to which such sources present an external view of the societies in which noblewomen exercised power. Saints' lives provide the opportunity to assess the way that the power of noblewomen interacted with, and to an extent drew upon, the authority of the church – recognising too that these *vitae* were created by a more or less misogynist male clergy who yet had to respond to the reality of the close involvement of their subjects' interaction with the power of women. When text, gender and society are considered together, a surprisingly rich view of twelfth-century noblewomen begins to emerge.

Notes

- 1 D. Baker (ed.), *Medieval Women* (Studies in Church History, Subsidia I, Oxford, 1978); M. Erler and M. Kowaleski (eds), *Women and Power in the Middle Ages* (Athens GA and London: University of Georgia Press, 1988), contains useful articles by J. Bennett, B. Hanawalt and J. Tibbetts Schulenburg; J. T. Rosenthal (ed.), *Medieval Women and the Sources of Medieval History* (Athens GA: University of Georgia Press, 1990); see also S. Shahar, *The Fourth Estate: A History of Women in the Middle Ages* (London: Methuen, 1983; repr. London: Routledge, 1991); S. Mosher Stuard (ed.), *Women in Medieval Society* (Pennsylvania: University of Pennsylvania Press, 1976), is still useful if outdated in its analytical framework.
- 2 I here agree with Joan Hoff, 'Gender as a postmodern category of paralysis', *Women's History Review*, 3: 2 (1994), 80–99. This article neatly summarises the developments of the debates over the use of gender in historical analysis. J. Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988) epitomises the use of post-structuralist theory deplored by Hoff. For specific medievalists' approach to the debate racking American scholars see S. Mosher Stuard, 'The chase after theory: considering medieval women', *Gender and History*, 4 (1992), 135–46, and also *Speculum*, 68: 2 (1993), in which all the articles implicitly engage in the debates over the validity of post-structuralist and post-feminist approaches to the study of history.
- 3 C. Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley CA and London: University of California Press, 1987); eadem, *Fragmentation and Redemption: Essays on Gender and the Human Body in Medieval Religion* (New York: Zone, 1991).
- 4 P. Stafford, 'Women and the Norman Conquest', *TRHS*, 6th ser, 4 (1994), 221–49; Stafford, 'Emma', pp. 12–13.

- 5 J. L. Nelson, 'Women at the court of Charlemagne: a case of monstrous regiment?' in J. Carmi Parsons (ed.), *Medieval Queenship* (Stroud: Sutton, 1994), pp. 43–61; *eadem*, 'Gender and genre in women historians of the early Middle Ages', *L'Historiographie médiévale en Europe* (Paris, 1991), pp. 150–63; *eadem*, 'Women and the word in the earlier Middle Ages', in W. J. Sheils and D. Wood (eds), *Women in the Church* (Studies in Church History, 27, Oxford, 1990), pp. 53–8. Stafford, 'Women and the Norman Conquest'; *eadem*, 'Women in Domesday', in Keith Bate and others (eds), *Medieval Women in Southern England* (Reading Medieval Studies, 15, 1989), pp. 75–94; Stafford, 'Emma', pp. 12, 22–3.
- 6 I. Short, 'Tam Angli quam Franci: self-definition in Anglo-Norman England', *ANS*, 18 (1996 for 1995), 154–5.
- 7 For an application of Weberian closure theory to the medieval period see S. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (Basingstoke: Macmillan, 1995). See also N. Abercrombie, S. Hill and B. S. Turner, *The Dominant Ideology Thesis* (London: Allen & Unwin, 1980); M. Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich (3 vols, New York: Bedminster Press, 1968).
- 8 F. M. Stenton, *The First Century of English Feudalism, 1066–1166* (Oxford: Clarendon Press, 1932; 2nd edn, Oxford: Clarendon Press, 1961).
- 9 *Ibid.*, p. 55.
- 10 See his analysis of the joint action of Hugh de Gournay and Milisent his wife: *ibid.* (1st edn), pp. 107–8.
- 11 F. Pollock and F. W. Maitland, *History of English Law before the Time of Edward I* (Cambridge, 1895, 2nd edn, 1898, repr. London: Cambridge University Press, 1968), 1. 485; further, 'As regards private rights women [meaning widows] were on the same level as men . . . but public functions they have none. In the camp, at the council board, on the bench, in the jury box there is no place for them'. See J. G. H. Hudson, *Land, Law and Lordship in Anglo-Norman England* (Oxford: Clarendon Press, 1994), pp. 7–9, for a discussion of Pollock and Maitland.
- 12 D. Crouch, 'From Stenton to McFarlane: models of societies of the twelfth and thirteenth centuries', *TRHS*, 6th ser., 5 (1995), 184.
- 13 P. Hyams, 'Warranty and good lordship in twelfth-century England', *Law and History Review*, 5 (1987), 437–503.
- 14 P. Dalton, *Conquest, Anarchy and Lordship: Yorkshire, 1066–1154* (Cambridge: Cambridge University Press, 1994), p. 269. Agnes de Arches was the foundress of Nunkeeling in 1152: *VCH Yorkshire*, 3. 119; *EYC*, 3. no. 1331.
- 15 J. Hudson, 'Anglo-Norman land law and the origins of property', in G. S. Garnett and J. G. H. Hudson (eds), *Law and Government in Medieval England and Normandy: Essays in Honour of Sir James Holt* (Cambridge: Cambridge University Press, 1994), p. 199; Hudson, *Land, Law and Lordship*, p. 279.
- 16 J. A. Green, 'Aristocratic women in early twelfth-century England', in C. Warren Hollister (ed.), *Anglo-Norman Political Culture and the Twelfth-century Renaissance* (Woodbridge: Boydell, 1997), pp. 60, 72.
- 17 Crouch, 'Stenton to McFarlane', p. 200.
- 18 Hyams, 'Warranty and good lordship'.
- 19 F. G. Buckstaff, 'Married women's property in Anglo-Saxon and Anglo-Norman law and the origin of common-law dower', *Annals of the American Academy of Political*



- and *Social Science*, 4 (1894), 233–64; G. L. Haskins, ‘The development of common law dower’, *Harvard Law Review*, 62 (1948), 42–55.
- 20 J. L. Biancalana, ‘The writs of dower and chapter 49 of Westminster I’, *Cambridge Law Journal*, 49 (1990), 91–116; *idem*, ‘Widows at common law: the development of common law dower’, *Irish Jurist*, 23 (1988), 255–329.
- 21 J. Senderowitz Loengard, ‘“Of the gift of her husband”: English dower and its consequences in the year 1200’, in J. Kirshner and S. F. Wemple (eds), *Women of the Medieval World: Essays in Honor of John H. Mundy* (Oxford: Blackwell, 1985), 215–55; *eadem*, ‘*Rationabilis dos*: Magna Carta and the widow’s “fair share” in the earlier thirteenth century’, in S. Sheridan Walker (ed.), *Wife and Widow in Medieval England* (Ann Arbor MI: University of Michigan Press, 1993), pp. 59–80, esp. p. 60; *eadem*, ‘Legal history and the medieval Englishwoman: a fragmented view’, *Law and History Review*, 4 (1986), 161, reprinted with postscript as ‘“Legal history and the medieval Englishwoman” revisited: some new directions’, in J. T. Rosenthal (ed.), *Medieval Women and the Sources of Medieval History* (Athens GA: University of Georgia Press, 1990), pp. 210–36.
- 22 Crouch, ‘Stenton to McFarlane’, p. 180.
- 23 J. C. Holt, ‘Feudal society and the family in early medieval England’ IV, ‘The heiress and the alien’, *TRHS*, 5th ser., 35 (1985), 1–28.
- 24 J. Martindale, ‘Succession and politics in the romance-speaking world, c. 1000–1140’, in M. Jones and M. Vale (eds), *England and her Neighbours, 1066–1453: Essays in Honour of Pierre Chaplais* (London and Ronceverte: Hambledon Press, 1989), p. 32.
- 25 D. Crouch, ‘The local influence of the earls of Warwick, 1088–1242: a study in decline and resourcefulness’, *Midland History*, 21 (1996), 9–10.
- 26 E. Searle, ‘Women and the legitimisation of succession at the Norman Conquest’, *ANS*, 3 (1981 for 1980), 159–70.
- 27 R. C. DeAragon, ‘In pursuit of aristocratic women: a key to success in Norman England’, *Albion*, 14 (1982), 258–67; *eadem*, ‘Dowager countesses, 1069–1230’, *ANS*, 17 (1995 for 1994), 87–100; J. Gillingham, ‘Love, marriage and politics in the twelfth century’, *Forum for Modern Language Studies*, 25: 4 (1989), 292–303.
- 28 S. F. C. Milsom, ‘Inheritance by women in the twelfth and thirteenth centuries’, in M. S. Arnold, T. A. Green, S. A. Scully and S. D. White (eds), *On the Laws and Customs of England: Essays in Honor of Samuel E. Thorne* (Chapel Hill NC: University of North Carolina Press, 1981), pp. 60–89.
- 29 *Ibid.*, p. 62; see also his comments on the difference between control of the marriage of male and female heirs by lords in ‘The origin of prerogative wardship’, in Garnett and Hudson (eds), *Law and Government*, pp. 239–40.
- 30 S. L. Waugh, ‘Women’s inheritance and the growth of bureaucratic monarchy in twelfth- and thirteenth-century England’, *Nottingham Medieval Studies*, 34 (1990), 88; ‘Marriage, class and royal lordship in England under Henry III’, *Viator*, 16 (1985), 181–207; *The Lordship of England: Royal Wardships and Marriages in English Society and Politics, 1217–1327* (Princeton NJ: Princeton University Press, 1988).
- 31 Green, ‘Aristocratic women’, p. 78; J. A. Green, *The Aristocracy of Norman England* (Cambridge: Cambridge University Press, 1997), pp. 361–90, at p. 365; Green, with an approach similar to that of Holt and Stenton, accepts a minimalist view of women’s roles. For the role of dowry and inheritance patterns see K. H. Thompson, ‘Dowry

and inheritance patterns: some examples from the descendants of King Henry I of England', *Medieval Prosopography*, 19 (1996), 45–61.

- 32 P. Stafford, *Queens, Concubines and Dowagers: The King's Wife in the early Middle Ages* (London: Batsford, 1983), p. 115.
- 33 The meanings of such male-gendered identities as husband and lord are too vast even to be attempted here; as Stafford has pointed out, the meaning of 'lord' alone would take a book on its own: *Emma and Edith*, p. 58.