

Mourning Mothers, Daughters, and Widows: Women's Agency in Post-Civil War England

Asher Gonzalez-Ortiz

Faculty Introduction

Dr. Sarah Mass

Asher's paper mines the English Civil War petitions database in search of an answer to an age-old question: how could women portray themselves as economic actors in a world that stripped them of their right to make money? Asher uses Imogen Peck's cultural framework on widowhood to understand how female petitioners of all stripes used grief to attain financial compensation. Asher argues that early modern patriarchy was a system that women learned to navigate with mixed results. They have given us a way of understanding the gendered revolutions of seventeenth-century England at the meeting point of emotion, economic life, and state-building.

Abstract

Seventeenth-century English women faced many challenges following the English Civil Wars. The following research paper discusses women's agency along with their legal and social status in Post-Civil War English society. Four women's petitions from the Civil War Petitions database are used to examine the issues faced by a varied group of women after the loss of their husband or male relatives in the war. These four petitions demonstrate that all women—mothers, daughters, and wives alike—were limited by their legal and social dependence on the men in their lives. However, the petitions also reveal that, with the growth of economic opportunities and their narrations of loss, seventeenth-century women were indeed able to exercise their autonomy within the bounds of early modern English gender norms.

The political and social turmoil of seventeenth-century England^{1*}—marked by shifting central governments and the violent English Civil Wars—left many families without their fathers, husbands, and sons, leaving the mothers, wives, and daughters to fend for themselves. Having all at once lost their loved ones, income, and legal protection, it is difficult to imagine how these women fared. It is made even more difficult when accounting for the strict gender dynamics of early modern England that afforded women with little to no autonomy. With the war leaving them in a precarious social and legal state, we might ask what agency did seventeenth-century English women have in their lives; how could they be independent; and what were their varied experiences in the rapidly changing world of post-Civil War England?

In this essay, I will use four women's petitions from the Civil War Petitions database to demonstrate that widowed and non-widowed women experienced the English Civil Wars and their aftermath largely in the same way. Petitions were submitted to the English Parliament and Crown through Quarter Sessions², and they requested aid—typically financial—following the death of male family members in battle during the English Civil Wars. The petitions show that all women—widows, mothers, and daughters alike—were legally dependent on the men in their lives to provide for them and their families. Furthermore, the four Civil War petitions examined reveal that women's agency in seventeenth-century England was tied to legal and social norms and largely dependent on their marital status. I argue that these four sources reveal the distinction between women's legal status on the one hand, and their social agency on the other. While women's legal status may have bound them to seemingly strict social roles, accounting for how they actively *defined* these social roles in practice is a key element of understanding the gender order in seventeenth-century England. In this analysis, I aim to highlight that seventeenth-century women's roles were fluid against the backdrop of the stringent legal and social structures that make up the basis for understanding early modern English gender dynamics.

1* Editor's Note: The English Civil Wars took place 1642-1651 between Parliamentarians and Royalists primarily due to discourse over religious freedom and how England was to be governed.

2 Quarter Sessions were local courts held four times a year in medieval and early modern English counties. These courts heard minor crimes and some civil cases, including the distribution of relief.

This analysis of the four petitions and women's agency is divided into five parts. 1) I provide a brief background on the relief system during the Protectorate and the Civil Wars. 2) I compare the four petitions I have chosen to include in this study. 3) I discuss the status of the four petitioners as dependents of the men in their lives. 4) I unpack the complex relationship between women's agency and their legal and social status in the Civil Wars era. 5) I extend Imogen Peck's discussion on Civil War widows' narration of death to include women who suffered loss but had not been widowed during the war.

The Relief System

The workings of the relief system for disabled soldiers and widows in seventeenth-century England can be divided into two categories: during the Protectorate, or the period after the execution of King Charles I when England was declared a commonwealth under the rule of Parliament, and during the Restoration, the period after the Protectorate when King Charles II returned from exile in Europe. During the Protectorate (1653-1659), the relief system functioned based on two acts of Parliament. These acts were the Ordinance for Relief of Maimed Soldiers and Mariners (1647) and the Act providing for Maimed Soldiers and Widows of Scotland and Ireland (1651).³ These acts meant that women had to petition to provincial magistrates and "provide proof of their habitation, their need, their husband's loyalty [to Parliament]," and evidence that their husbands had actually passed away.⁴ During the Restoration (1660-1688), the central government's and local relief systems' attention shifted from Parliamentary widows and soldiers to those who had been loyal to the Crown during the Civil Wars. While provincial magistrates continued to grant relief to those in need, the monarchy under Charles II also began to grant relief to those loyal to him and his father. In order to appeal to the Crown, one would have to send their petition to the King and the Privy Council who would then pass it on to the Lord Treasurer to assess.⁵ Notably, the petitions of Royalist widows demonstrate that the military and social rank of the widow's spouses

3 Imogen Peck, "The Great Unknown: The Negotiation and Narration of Death by English War Widows, 1647-60," *Northern History* 53, no. 2 (September 2016), 223-224, doi:10.1080/0078172X.2016.1195598.

4 Peck, "The Great Unknown," 224.

5 Stewart Beale, "'Unpityed by Any?' Royalist Widows and the Crown, 1660-70," *Historical Research* 92, no. 258 (November 2019), 746, doi:10.1111/1468-2281.12284.

were key components in the King's granting of relief.⁶ The higher the rank and fame achieved in the war, the more pressure Charles II felt to award relief.⁷ As such, petitions were not politically neutral documents. The petitioners I have selected had to navigate not only the entrenched gender hierarchy of their age, but also the shifting world of political regimes and loyalties.

Civil War Petitions Compared

The four petitions in this study were submitted from 1651 through 1667, shortly preceding and during the Restoration of the Stuart monarchy. The earliest petition, submitted on July 8, 1651 is on behalf of the daughter of William Goose of Barnacre in Lancashire.⁸ The petition describes the hardship of a newly orphaned girl who lost her father and only parent, a Parliamentarian soldier, during the Civil Wars.⁹ The petitioner succeeded in pleading that the girl be maintained by the parish "according to Custome and Equitie."¹⁰ The next document from the Civil War petitions database is a certificate for Jane Rigbie of Prestwich, dated April 16, 1662. In this document, it is certified that the petitioner's son, a Royalist soldier, did indeed die in battle.¹¹ The outcome of her petition is unknown. The third document was a petition on behalf Mary Ratcliffe, who successfully petitioned for relief January 19, 1663 on account of her father's death.¹² Her father was a Royalist captain who died in service to the Crown during the Civil Wars and lost all his

6 Beale, "Unpittied by Any?," 739.

7 Beale, "Unpittied by Any?," 745-746.

8 As in the cases of William Goose's daughter and Mary Ratcliffe, some claimants were unable to write their own petitions themselves, typically due to lack of literacy. These claimants would find others who could write—oftentimes parish notaries—to submit the petition on their behalf.

9 "The petition on behalf of the daughter of William Goose of Barnacre, Lancashire, 8 July 1651," QSP/50/23, Lancashire Archives, Lancashire Record Office, Preston, United Kingdom, <https://www.civilwarpetitions.ac.uk/petition/the-petition-on-behalf-of-the-daughter-of-william-goose-of-barnacre-lancashire-8-july-1651/>.

10 "The petition on behalf of the daughter of William Goose of Barnacre."

11 "The certificate for Jane Rigbie of Prestwich, Lancashire, 16 April 1662," QSP/224/18, Lancashire Archives, Lancashire Record Office, Preston, United Kingdom, <https://www.civilwarpetitions.ac.uk/certificate/the-certificate-for-jane-rigbie-of-prestwich-lancashire-16-april-1662/>.

12 "The petition on behalf of Mary Ratcliffe of Burscough, Lancashire, 19 January 1663," QSP/235/22, Lancashire Archives, Lancashire Record Office, Preston, United Kingdom, <https://www.civilwarpetitions.ac.uk/petition/the-petition-on-behalf-of-mary-ratcliffe-of-burscough-lancashire-19-january-1663/>.

estate.¹³ The last document is an order for Alice Mercer of Hemington, a Royalist war widow and mother who, on July 22, 1667 at the Quarter Sessions, secured an annual pension of fifty-two shillings on account of the loss of her husband during the war.¹⁴

These four Civil War petitions differ from each other in the petitioners' relationship to the slain soldiers, the governments they were submitted to, and the ranks of the slain soldiers in the military. William Goose's daughter's and Mary Ratcliffe's petitions were both on behalf of the soldier's and captain's daughters, one a child and the other an adult. Jane Rigbie was the mother of the deceased while Alice Mercer was the widow of the soldier who died in battle. Furthermore, while the petitioners of the three later documents were Royalists, the 1651 petition was submitted on behalf of Parliamentary William Goose's daughter.¹⁵ Significantly, this petition was submitted during Oliver Cromwell's Protectorate while the other documents are dated during Charles II's reign. Therefore, these petitions were all submitted to a regime that was favorable to the petitioner's "side" in the Civil Wars. And finally, unlike the other three petitioners, Mary Ratcliffe's petition indicates that her father was a captain, not just a soldier.¹⁶ As Stewart Beale has argued, rank was a key element in the ultimate disbursement of relief.¹⁷ These differences in relation, governments, and status among the four petitions reflect

These differences...reflect a variety of social and political identities.

a variety of social and political identities that are important to this study as they offer in-

sight into the experiences of a broader range of women, not just the widows who make up the majority of female petitioners in the Civil War Petitions database.

Despite their differences, the four Civil War documents were similar in how they were submitted to local institutions, the type of aid the wom-

13 "The petition on behalf of Mary Ratcliffe of Burscough."

14 "The order for Alice Mercer of Hemington, Northamptonshire, 22 July 1667." QSR 1/50, fol. 72. Northamptonshire Archives, Northamptonshire Record Office, Northampton, United Kingdom, <https://www.civilwarpetitions.ac.uk/certificate/the-order-for-alice-merc-er-of-hemington-northamptonshire-22-july-1667/>.

15 "The petition on behalf of the daughter of William Goose of Barnacre."

16 "The petition on behalf of Mary Ratcliffe of Burscough."

17 Beale, "Unpittied by Any?," 739.

en requested, and how they were worded. All the petitions were submitted at the Quarter Sessions. This is significant as it shows the continuity of the local relief system despite the changing central government. Another similarity between all four documents is that they all petition for financial support. This contrasts with other petitions such as those submitted to the Crown in Beale's work in which widows asked for land and positions in the royal household.¹⁸ Lastly, the four documents were similar in that, despite the different circumstances of each petitioner, the petitions were almost formulaic in the way they requested for relief. The petitions started with an assertion of the relationship between the petitioner and the deceased and was followed by a recollection of the petitioner's hardships. For example, Jane Rigbie's certificate begins by asserting her relationship to her son, a slain soldier, and is followed by a description of her hardships as a widow who no longer had anyone to maintain her.¹⁹

Petitioners as Dependents

Though the four petitions and orders may differ slightly from one another, they are, in essence, different versions of the same document. All the petitioners are asking for government relief due to the loss of their main—or sole—provider. In this way, the most glaring similarity between all the documents is that, regardless of age, marital status, or relation to the deceased, all the women who petitioned were dependents of the men in their lives. This is most clear when comparing William Goose's daughter's petition to the rest of the women. Unlike the other three petitioners, William Goose's daughter was a small child.²⁰ As such, rather than being spoken of as a woman, she is referred to as a child in need, regardless of gender. Even so, the language used to describe her pitiful circumstances is the same used in the rest of the petitions. In particular, the sentiment of the phrase "releiflesse of any meanes left by her Father" is parroted in the other sources, highlighting the women's destitute state with their losses from the war.²¹ In Mary Ratcliffe's case, it is the phrase, "and your petitioner being thus by gods p[ro]vidence deprived of the glory and Comforth of this morttall Light and

18 Beale, "Unpittied by Any'?", 741-742.

19 "The certificate for Jane Rigbie of Prestwich, Lancashire."

20 "The petition on behalf of the daughter of William Goose of Barnacre."

21 "The petition on behalf of the daughter of William Goose of Barnacre."

lefte Comfortlesse.”²² Jane Rigbie’s certificate states, “Impouerishing off Jane his mother hee being in his life time her Cheffe suporte as to her outward mentenance.”²³ Lastly, in Alice Mercer’s order, it is stated that she and her children were left with “great want haueing nothing to maintaine her & her Children but her Labour and ye Charety of others.”²⁴ Although the other three petitioners were women, they were still treated much the same way a child was treated. With the loss of the men in their lives, they are unable to provide for themselves and are forced to rely upon the government’s relief as a last resort.

Women’s Agency and Status

In order to understand how the four documents fit into the discussion on women’s agency in seventeenth-century England, one must first understand the legal and social positions of women in early modern English society. During the seventeenth century, the English government, whether Anglican or Puritan, was deeply religious. For this reason, the government was greatly concerned with the lives of women. The idea of maintaining a “holy household,” emphasizing women’s chastity and regulating their behavior, was of great importance to the sixteenth- and seventeenth-century English governments.²⁵ Furthermore, the chaos brought by the shifting leadership and monarchies in the seventeenth century meant that the government became more acutely concerned with the legitimacy of children and the fidelity of women, leading—once again—to the English government’s preoccupation with women’s autonomy.²⁶ Simultaneously, women’s economic and social opportunities expanded in the seventeenth century. As cities like London became more commercial and less favorable to guilds, the chances for women to become apprentices grew.²⁷ Women also saw a rise in opportunities to work independently, typically as seamstresses and other such occupations; however, this was mostly limited to the single women of the

22 “The petition on behalf of Mary Ratcliffe of Burscough.”

23 “The certificate for Jane Rigbie of Prestwich, Lancashire.”

24 “The order for Alice Mercer of Hemington.”

25 Laura Gowing, “Women’s Bodies and the Making of Sex in Seventeenth-Century England,” *Signs: Journal of Women in Culture & Society* 37, no. 4 (Summer 2012), 814, <https://search-ebscohost-com.ezproxy.shsu.edu/login.aspx?direct=true&db=lfh&AN=76474236&site=eds-live&scope=site>.

26 Gowing, “Women’s Bodies and the Making of Sex in Seventeenth-Century England,” 814.

27 Laura Gowing, “Girls on Forms: Apprenticing Young Women in Seventeenth-Century London,” *Journal of British Studies* 55, no. 3 (2016), 450, <https://www.jstor.org/stable/26598890>.

middling sort, meaning women who were tied to commerce and had some opportunities for social mobility.²⁸ As such, women's agency in seventeenth-century English society was both impeded and promoted by persisting social norms and economic developments such as their newfound ability to join guilds and run their own businesses.

Though economic autonomy was possible for some women in the seventeenth century, it was not afforded to all women. The idea of coverture had long been established as an integral part of English society. Once a woman married, her "legal personality" became one with her husband's and relegated her to becoming her husband's dependent.²⁹ In the seventeenth century, coverture was still the status quo. As such, marriage impeded on the economic and social opportunities women were slowly gaining through apprenticeship. Once married, a woman would no longer be able to employ anyone under her own name unless she was widowed.³⁰ Moreover, society at this time prioritized coverture above the economic and social independence of women.³¹ This meant that most women who became widowed as a result of the English Civil Wars—like Alice Mercer—also lost their legal status that would have, under their husband's name, allowed them to make enough of an income to support themselves. Ultimately, just as women were able to assert themselves in the economic and social sphere of seventeenth-century urban society, they were also held back by unchanging legal and social norms.

Furthermore, the four Civil War petitions demonstrate the ways the standards of chastity and the regulations of women's bodies and their behaviors (characteristics of the idea of a patriarchal "holy household") were both maintained and subverted. On one hand, these standards and regulations left women at the mercy of the men in their lives, granting them little autonomy over their lives. The dependence Alice Mercer, Mary Ratcliffe, and Jane Rigbie had on the men in their lives reflected the persisting concept of the secrecy of women and the need to keep women from being working members of the public dependent purely

28 Gowing, "Girls on Forms," 450.

29 Sarah M. Butler, "Femme Sole Status: A Failed Feminist Dream?" *Legal History Miscellany* (2019), <https://legalhistorymiscellany.com/2019/02/08/femme-sole-status-a-failed-feminist-dream/>.

30 Gowing, "Girls on Forms," 460.

31 Gowing, "Girls on Forms," 469.

on themselves.³² Even so, one of the Civil War documents reflects the growth in opportunities for women, independent of the men in their lives. The language used to describe Mary Ratcliffe's hardships in her petition is revealing. In particular, the phrase, "Whereas your petitioner beinge a blind woman, and not haueing any meanes nether can shee doe any worke at all towards her Liueing," is particularly important.³³ It insinuates that the only barrier keeping her from providing for herself as a single woman was that she was blind, not that she was a woman.

Furthermore, the Civil War documents reflect the opportunities, or expectations, of performing labor as an unmarried woman. Out of all four documents, only one of the petitioners, Mary Ratcliffe, was a single woman. The other two adult women were widows by the time they had submitted their petitions. This is significant as Mary's petition is the only one to show a justification—her blindness—to state why she cannot work.³⁴ In providing this justification, the document suggests that it would have been expected of her to have found some way of providing for herself as her "legal personality" had not been combined with a husband. In contrast, Alice Mercer's order is clear in stating that she, as a widow, was actively working to provide for herself and her children.³⁵ The information available on either woman is slim; however, the scarcity of women in commerce at the time suggest that it is unlikely that they were granted greater economic and social autonomy in the seventeenth century. Even as the proportion of women in commerce rose throughout the later seventeenth century, men and boys still made up a significant majority in commercial spaces.³⁶ However, Mary Ratcliffe's petition and Alice Mercer's order illustrate how women outside the confines of coverture were expected to provide for themselves at a time when women's agency was not accounted for nor accepted by English law or society.

Women's Narration of Death

Women's narration exemplifies the contradicting relationship between

32 Gowing, "Women's Bodies and the Making of Sex in Seventeenth-Century England," 816-817.

33 "The petition on behalf of Mary Ratcliffe of Burscough."

34 "The petition on behalf of Mary Ratcliffe of Burscough."

35 "The order for Alice Mercer of Hemington."

36 Gowing, "Girls on Forms," 450.

women's agency and their legal and social limitations in seventeenth-century England. Thus, I extend Peck's discussion on the way widows narrated their husbands' death during the Civil Wars to non-widows. Peck argues the language and techniques that war widows used in their petitions was its own form of early modern female agency.³⁷ Women could only obtain relief from the courts if they were able to convince the necessary authorities that they were not only in need, but also clearly widowed. However, petitions like Mary Ratcliffe's—which emphasized her disability, her father's position as captain, his loyalty to the Crown, and God's providence—show that non-widowed petitioners were also doing their best to garner sympathy for their poorly state.³⁸ As such, it was not a woman's status as a widow but her status as a man's dependent that illustrated her desperate circumstances. Ultimately, women's ability to create their own narratives at a crucial point in their lives shows that women in seventeenth-century England did not exercise agency over their lives despite the patriarchal legal and social structures of their time; they did so within those structures. In the four Civil War petitions discussed, the petitioners were able to protect and provide for themselves by using the dependence on men they were socially and legally expected to uphold.

Seventeenth-century English women encountered marital, economic, and social challenges in the era of the English Civil Wars. Through the historical object of the petition, many women learned to explain these challenges as a loss worthy of compensation. While this culture was built within the strictures of a patriarchal system, we should not see this system as absolute or without opportunity for select women. The four Civil War documents discussed in this analysis make it clear that all women—not just widows—faced similar experiences of loss during the Civil Wars, rooted in the fact that they were legally and socially dependent on the men in their lives. Even so, the emerging opportunities of economic independence and their ability to define their own narratives of loss demonstrate that women in seventeenth-century England were slowly gaining some form of autonomy at a time when it was still suppressed.

37 Peck, "The Great Unknown," 22.

38 "The petition on behalf of Mary Ratcliffe of Burscough."

Student Biography

Asher Gonzalez-Ortiz is a senior majoring in History at Sam Houston State University. When assigned to discuss petitions from the Civil War Petitions database for a history course, Asher was prompted to research the experiences of all women—not just widows—during the Civil Wars era as part of the assignment. Consequently, Asher began researching seventeenth-century English women’s history under the advisement of Dr. Mass, a professor in the Department of History. Asher will graduate Spring 2023 and plans to teach history at the secondary level and pursue graduate studies thereafter. He hopes to further his research on early modern gender conceptions and dynamics in graduate school.