

Jane Austen and Medieval Women: What on earth do they have in common?

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Introduction

It is appropriate in this 200th year since its publication that I begin with that wonderful book *Persuasion*. When Sir Walter Elliot, of Kellynch Hall in the county of Somerset, took up the volume of the baronetage at the start of *Persuasion*, Jane Austen wanted to tell her reader several things.



Sir Walter was a baronet and a widower, whose ancestor had most likely bought his title from the crown for £1,000 under King James I. (*Persuasion*, p. 334, n2). A son was born but did not survive. Sir Walter had three living adult daughters. He could not will his landed property to a direct descendant; a nephew was the heir presumptive because the entail left the estate to the nearest male relative. The youngest of his three daughters had joined the second most important family in the county by marrying the eldest son, the heir of Charles Musgrove, Esq. of nearby Uppercross.

Sir Walter was spending more than he earned. He had mortgaged as much of his estate as he was permitted, which was only a small part of the whole. The rest was inalienable, that is, he did not have control over it and he could not sell it separately. We also learn that having wealth and being of good birth were important, but that having one did not necessarily imply the presence of the other.

Earth, that is, landed property with its combination of wildernesses, forests and cultivation was the main source but not the only source of wealth in the late 18th and early 19th centuries, the period in which Jane Austen wrote her letters and set her novels, mostly during the regency of King George IV. The income from landed property was not unlimited. Landed property was not normally owned by women. The inheritance of property was subject to a will and could be left away from daughters if there were no sons. Most women were dependent on marriage for a comfortable living. In the marriage stakes the status of the members of the couple could be as important as their fortune. The discrepancy between wealth and good birth was a matter to be calculated. A significant difference either way was a reason for parents to deny a couple permission to marry.

The origins of those rules and customs in Jane Austen's time lie in eighteen hundred years of prior history. Many of those norms arose in the so-called Middle Ages – the oddly named period between the end of the Roman Empire and the beginning of the Renaissance and the Early Modern Era.

Background

Let me present first the canvas on which Jane Austen drew. In 1790 the landed gentry and peerage included about 25,000 families, whose livelihood depended chiefly on the ownership of land. The average yearly income of the great landowners in England (about 400 families) was £10,000. Four to five thousand families received £1,000 to £5,000 a year, and the remainder less. Jane Austen's families in her novels fall, on the whole, into the upper and middle income groups, but generally exclude the peerage and the wealthiest landed gentry. The richest landowner whose precise income is given is Mr Rushworth, who received income of £12,000 a year from his property and any other investments (*Mansfield Park*, p. 46);

the poorest is Willoughby with an income at the beginning of the novel of 600 to 700 pounds a year (*Sense and Sensibility*, p. 83) – still handsome returns for a single man. Two thousand to four thousand pounds a year is probably the average income of the principal landed families in the novels (Gornall, p. 805).

An idea of what might be considered a competence, that is a reasonable income, can be gathered from Marianne's remarks in *Sense and Sensibility*, early in the novel (p. 106):

two thousand a-year is a very moderate income [...]. A family cannot well be maintained on a smaller. [...] A proper establishment of servants, a carriage, perhaps two, and hunters, cannot be supported on less.

Marianne is an unreliable witness, however. Her assessment cannot be taken at face value. Colonel Brandon, whom she eventually marries, will indeed have an income of £2,000 a year. In contrast Elinor and Edmund will have an income of £850 a year, which they find perfectly adequate.

People with incomes from sources other than land are, of course, mentioned. Admiral Croft in *Persuasion* had made a fortune by the capture of prizes. Captain Wentworth is 'rich' by the same means at the beginning of the book, and eventually we discover that he has £25,000 (pp. 19, 24, 32, 270). In *Pride and Prejudice* Mr Bingley's fortune of £4,000 to £5,000 a year had been made in trade, and lawyers and clergymen are also well represented. Mr Collins already has a comfortable income from the living at Hunsford (pp. 4, 201). John Dashwood in *Sense and Sensibility* is busy enclosing land and buying property next to his own. He also cuts down trees, owns securities and has cash at hand (p. 256; Jones, p. 273). Like many others he was subject to the vagaries of the war economy and the unpredictable rise and fall of prices, although in his case a lavish income covered all.

Let us look first at the landed gentry. It is their characteristics that set the stage when we think of marriage and property. They can be examined according to their place in the family: first, the eldest son, which includes the entailed estate and the wife's financial position; second, younger sons; and third, daughters, wives and widows.

1. Marriage and Property – the Eldest Son

For the landed gentry the basic source of income, the family estate, was often held in strict settlements usually with an entail attached. The object of entailing the estate was to preserve the family fortune from one generation to the next by preventing its being sold or divided among the children. The preservation of the estate was achieved by using legal devices in a will or settlement to ensure that in each generation the titular ownership was in the hands of one person, who had no power to sell it or dispose of it by will. He or she (mostly he) was a life tenant, and 'ownership' was made to consist merely of the right to receive the income. In the 18th century half or more of the country was held under such an arrangement. The eldest son, or other senior male relative if there were no son, was usually the person selected to hold the estate. A daughter could sometimes serve the same purpose and was then described as an heiress. "I see no occasion for entailing estates from the female line.—It was not thought necessary in Sir Lewis de Bourgh's family", says Lady Catherine de Bourgh, (*Pride and Prejudice*, p. 185; Gornall, pp. 805–806; Mahony, p. 54). Such independence was not possible for most of Jane Austen's female characters. I will examine the situations of some of them in more detail later.

Naturally the landed gentry consisted not of individuals but of families. On his father's death, the eldest son was provided for. However, the system of entails posed a problem with regard to providing for the widow, the younger sons and the daughters, all of whom imposed a considerable financial burden on the family estate (Gornall, p. 806). Jane Austen most fully examines the effect of the entail in *Sense and Sensibility*. Henry Dashwood the elder left his wealthy estate under strict settlement to his nephew, who died within 12 months of inheriting. The nephew's son from a first marriage, John Dashwood, received the manor, lands and money of his father, mother and bride, valued at between £100,000 and £120,000. The widow and three daughters by the second marriage received in total with all the legacies £10,000. The income of John Dashwood, his wife and small son was between £5,000 and £6,000 per year; the income of the four ladies (at the normal five percent interest rate) was £500 per year for the four of them. The only goods that they were legally permitted to take with them when they left their family home were china, plate, and

linen (pp. 3–5; 435–437nn3–11; Heldman, p. 39). Those differences in outcomes within a family were quite common and perfectly legal.

While Jane Austen's father George Austen lived in retirement, the family had an income of £600. After Mr Austen died in 1805, Jane, with her sister and mother, had the sum of £450 on which to live – a sum comparable to that of Mrs Dashwood and her three daughters. Martha Lloyd joined the Austen household. Together the women suffered under other financial hardships. Jane Austen reports in her letters upon the economies that they had to make and the social stigmas to be endured at Southampton on that income. Jane's brother Edward, who was adopted while young by the wealthy Knight family, did not organise the settlement of the four ladies at his property at Chawton Cottage until over three years after George Austen's death, almost immediately after his wife died. Jane lost £13.7s when her brother Henry went bankrupt and Henry and brother Frank had no choice but to cease their annual contributions to their kin of £50 apiece. Seven years later Jane Austen's wealthy uncle, James Leigh-Perrot, left no money to his sister, Mrs Austen, or to her daughters, to their great distress (Fergus, p. 6; Honan, pp. 393–94; Le Faye 2011, pp. 354, 465; Le Faye 2004, pp. 246–7; Nokes, pp. 274–77, 486)¹. The adversities endured by Jane Austen and her family echo those of the Dashwood ladies in the fictional *Sense and Sensibility*.

Portion and Jointure

In the Regency period the widow could be provided for by what was known as a jointure. Since the husband could not usually leave the estate to her, the person next in succession had to pay an annuity to her. The amount of the annuity would already have been fixed in her marriage settlement.

"Well, the jointure may comfort him," says Tom Bertram in *Mansfield Park* (p. 144). He refers to a friend of his, of the Ravenshaw family, whose grandmother, had recently died. The size of this annuity would depend partly on the annual value of the estate and partly on the money contributed to the marriage settlement by the wife. That latter money was known as a portion (or what we may think of as a dowry; Gornall, p. 806; Mahony, p. 61).

The deceased woman that Tom Bertram refers to is a dowager, that is, a widow with money or property. The assumption is that, following her death, the money would revert to her descendants. If the recently deceased grandmother were Lady Ravenshaw's mother, the sum would presumably be left to Lady Ravenshaw, and therefore automatically become her husband's property not hers. Consequently Lady Ravenshaw misses out on her mother's possessions completely (*Mansfield Park*, p. 678n8). 'Here we have, then, the first of the factors that made marriage an economic institution; the wife's financial position, if she became a widow, depended to some extent on her own resources, however large her husband's income might have been' (Gornall, p. 806).

In a few compact sentences Jane Austen presents the advantages and disadvantages to women of the jointure. Originally the word applied to the 'holding of property to the joint use of husband and wife for life or in tail [that is the entail], as a provision for the [wife] during widowhood'. By the 15th century the jointure meant a 'sole estate limited to the wife, to take effect upon the death of her husband for her own life at least' (*Shorter Oxford English Dictionary*: 'jointure').

2. Marriage and Property – Younger Sons

The position of the younger sons (the second factor that made marriage an economic institution) was determined partly by the entail, and partly by another convention equally important for an understanding of the connection between property and marriage; this was that the landed gentry and their families voluntarily excluded themselves, by and large, from earning money. Trade, in which there was plenty of money to be made, was regarded by the upper and middle ranks of the landed gentry with the utmost dismay (Gornall, p. 806).

"I am a gentleman's daughter", says Elizabeth Bennet to Lady Catherine de Bourgh. "True", is her reply, "You *are* a gentleman's daughter. But who was your mother? Who are your uncles and aunts? Do not imagine me ignorant of their condition." (*Pride and Prejudice*, p. 395). Elizabeth's mother was the daughter of a lawyer, and lawyers, unless members of the bar, were more or less in the same category as traders. One uncle-by-marriage had

succeeded him in the business (Mr Phillips), and the other was in trade (Mr Gardiner). Elizabeth's father was a gentleman because he derived his income from the ownership of land (*ibid.*, p. 31; Gornall, p. 806).

There were two connecting links between the landed gentry and trade. A wealthy merchant could purchase an estate – as Mr Bingley's father had hoped to do – and his daughters might marry into the landed families (Lady Middleton and Mrs Palmer, Mrs Jennings's two daughters in *Sense and Sensibility* succeeded in doing this); the sons of the upper and middle ranks of the landed gentry seldom engaged in trade and the daughters would not normally marry into it. Miss Churchill did so, in becoming Mr Weston's first wife in *Emma*, and was cast off by her family. 'Thus the movement was one way only – one class could be raised, but the other refused to be lowered' (Gornall, p. 806).

"So you are to be a clergyman, Mr. Bertram. This is rather a surprise to me", says Mary Crawford in *Mansfield Park*. "Why should it surprise you? You must suppose me designed for some profession, and might perceive that I am neither a lawyer, nor a soldier, nor a sailor" is Edmund's reply (p. 107). The male members of the landed gentry did take up the professions, but only four: the army, the navy, the church and the bar. Such careers were hampered for financial reasons: a considerable initial expense was required and sufficient income was not guaranteed (Gornall, pp. 806–807). Jane Austen's brother Charles, for example, never had sufficient funds from his career in the navy to contribute to the income of his mother and sisters (Nokes, p. 486).

The establishment of younger sons in any profession necessitated a financial outlay usually from the family estate. Apart from the portion contributed by the wife and such income as they could get from the limited employment considered open to them, younger sons could hardly improve their financial position except by marriage (Gornall, p. 808). "Younger sons cannot marry where they like," says Colonel Fitzwilliam to Elizabeth Bennet. "Our habits of expence make us too dependant" (*Pride and Prejudice*, pp. 205–6;² the colonel is a younger son of an earl). They continue to talk flippantly about how much the fortune of an heiress needs to be to match his value, and settle on £50,000 for the bride's dowry. This is Jane Austen's exaggeration and joke. Up to 1800 a marriage portion

of £30,000 was considered very grand even for the marriages between aristocratic families (ibid., p. 504n4). Fifty thousand pounds would be very generous for even the eldest brother, who would inherit the earldom.

3. Marriage and Property – Daughters, Wives and Widows

The position of the daughters was governed by this third important convention – the marriage portion that I have already introduced. There was no question of the daughters earning anything; but a portion was intended less to give financial independence than to facilitate a suitable marriage. The size of the portions was usually fixed in the marriage settlement of the girl's parents. The highest mentioned is that of the independent Miss Grey in *Sense and Sensibility* who had £50,000, a very great fortune indeed (p. 220). In contrast, Mrs Bennet's daughters had only £1,000 each plus what they might inherit on her death from her £4,000 inheritance from her father (*Pride and Prejudice*, p. 333; Gornall, p. 808).

In *Sense and Sensibility* Mrs Jennings, a widow, enjoys 'an ample jointure' (p. 43). John Dashwood knows that he should have given more money to his half-sisters on their father's death and to his father's widow (Dashwood's stepmother). He is under no legal obligation to do so, however. He hopes that Mrs Jennings will leave her jointure to his half-sister Elinor rather than to her own two well-married daughters. Elinor states sensibly that she is more likely to leave it to her daughters (p. 257). In the first edition of *Sense and Sensibility* Jane Austen has John Dashwood and Elinor discussing Mrs Jennings's 'furniture' rather than her 'jointure'. Mrs Jennings could give furniture, which was personal property, to anyone, but not her jointure. A jointure must by law descend to Mrs Jennings's daughters (ibid., p. 483n13), and since they are married it will go to their husbands. In changing the word from 'furniture' to 'jointure' in the second edition, Jane Austen reminded her contemporary readers of the strictures on the passage of money and the fragility of, and constraints on, female wealth and inheritance.

The characters in Jane Austen's novels almost always know very precisely the fortunes and incomes of their friends, neighbours and acquaintances. Why were the landed gentry prepared to spend such large sums on portions for their daughters, an expense that was merely taking money out of the

family? Gornall proposes a plausible reason (pp. 808–9): the entail and the limited options for employment made such a system necessary, because there was almost no other way in which they could maintain or increase their financial resources. Although the particular portion given did not result in an immediate benefit to the family that gave it, the system must, in the long run, have benefited the class as a whole, because it provided circulating capital for people whose incomes were usually static. Moreover the custom of giving portions must itself have created the need for more capital, as well as providing it.

Women of the gentry with no fortune and no prospect to marry had much fewer opportunities to support themselves or to increase their wealth. Jane Fairfax must consider taking the position of a governess if she does not marry, where she will earn about £30 a year. Miss Fairfax is the daughter of an army officer and is poor, with a fortune of only £300 (Mahony, pp. 10, 227). Mrs Weston appreciates Jane Fairfax's many accomplishments and her "steadiness of character and good judgment". Nevertheless Mrs Weston considers that her marriage to the wealthy Frank Churchill "is not a connexion to gratify" (p. 436). We see here the weighing of status and money against honourable qualities. Miss Bates, the daughter of a former vicar, whose notice had once been an honour, looks after her elderly widowed mother, and is now poor. As Mr Knightley reminds Emma: "she has sunk from the comforts she was born to; and, if she live to old age, must probably sink more." (*Emma*, pp. 20, 408). Mrs and Miss Bates may have £100 per year to live on; their one maid Betsy would take £3 a year out of that sum.

A marriage was also an alliance and a contract between two families. If one family could offer more, the other was expected to match it by providing more in exchange. When, in *Mansfield Park*, Maria Ward, with only £7,000, married Sir Thomas Bertram: 'All Huntingdon exclaimed on the greatness of the match, and her uncle, the lawyer, himself, allowed her to be at least three thousand pounds short of any equitable claim to it' (p. 3). Sir Thomas's income, social position and the provisions for jointure and portions, which he guaranteed in the marriage settlement, therefore would correspond to an expected portion of £10,000 (Gornall, p. 809).

In *Sense and Sensibility*, John Dashwood discusses with Elinor the possibility of Edward Ferrars marrying the Hon Miss Morton, who has a fortune of £30,000. Miss Morton will earn approximately £1,500 from her fortune. Under this arrangement Mrs Ferrars will settle £1,000 per year upon Edward as eldest son (p. 255). In addition Edward has £2,000 of his own, able to be invested at a rate of five percent (p. 168). Mrs Ferrars would consider this marriage a prized alliance with the aristocracy. Miss Morton could realistically anticipate that Edward, as eldest son, would in future increase his income by inheritance above his current annual income of £1,100 (p. 482n8). From a monetary point of view the alliance is well balanced.

Jane Austen continues to reveal the absurdity of the marriage market later in the novel. Edward loses the favour of his mother when he refuses to marry Miss Morton and his engagement to Lucy Steele is revealed. Mrs Ferrars disinherits him; his younger brother, Robert, will now come into the family fortune. John and Elinor Dashwood discuss the situation (p. 336):

"We think *now*"—said Mr. Dashwood, after a short pause, "of Robert's marrying Miss Morton."

Elinor, smiling at the grave and decisive importance of her brother's tone, calmly replied,

"The lady, I suppose, has no choice in the affair."

"Choice!—how do you mean?"—

"I only mean, that I suppose from your manner of speaking, it must be the same to Miss Morton whether she marry Edward or Robert."

"Certainly, there can be no difference; for Robert will now to all intents and purposes be considered as the eldest son;—and as to anything else, they are both very agreeable young men, I do not know that one is superior to the other."

We may also remember that Lady Bertram, in *Mansfield Park*, has the same point of view as John Dashwood when Fanny refuses the offer of marriage from Henry Crawford: "you must be aware, Fanny, that it is every young woman's duty to accept such a very unexceptionable offer as this." (p. 384).

Perhaps after all we should have some sympathy for two of Jane Austen's female characters upon whom we normally look with disdain: — dare I

say it? — the avaricious Lucy Steele in *Sense and Sensibility* and Mrs Clay in *Persuasion*. Lucy could obtain money legitimately only by marriage and she had no portion to bring to one. Mrs Clay was the daughter of an attorney and a widow with two children to support. Lucy and her sister's sycophantic wooing of the wealthy Mrs Ferrars and Fanny and John Dashwood is understandable. Similarly Mrs Clay's ingratiating herself with Sir Walter and Elizabeth and then the future heir, Mr Elliot, is also understandable. The two cases are no different from that of Mr Collins's wooing of Lady Catherine in the hope of gaining an extra living or two. The financial situations of Lucy and her sister and of Mrs Clay are indeed far worse than that of Mr Collins, who already has a comfortable living from Lady Catherine. Much as I dislike to think it, should we criticise those women more harshly than we do Mr Collins?

Life in the Middle Ages

We now turn to the medieval period or the Middle Ages. 'Middle Ages' is a term coined to indicate a period covering about one thousand years. It classifies the period in Europe between the deposition of the last emperor of the West in the late fifth century and ends by general agreement at about the beginning of the 16th century. Most of my discussion will be based on examples from the earlier Middle Ages. (For the later Middle Ages in England, see Erickson, esp. pp. 79–113.) In the census-like documents written in the early ninth century at the French abbey of St Germain-des-Prés under the care of Abbot Irminon, we read about an estate network that was reasonably self-sufficient: an exchange of goods moved from one person/place to another (Olson, pp. 103–104).

Between the early Middle Ages and the early 19th century we deal primarily with a land-holding aristocracy; people lived mainly directly off the land. A landholder with estates generally exchanged goods within that network of properties. Outlying estates might be maintained because they were endowed with useful goods. Much exchange occurred directly with goods although coins were minted. Some money was made in trade of course; if people gained their money by trade, as quickly as they could they changed it into land (Wickham 2008, pp. 18–26).

From Partitive Inheritance to Primogeniture

In the early Middle Ages the pre-eminence of the first born son was not by any means a given. Before the 10th century the legitimate sons of the ruler and of the leading men who followed the ruler inherited equally. Land became divided until it was too small to be properly managed and to support the inheritor. As might be imagined this did not promote harmony among brothers or between sons and their fathers. A late 19th-century painting by Évariste Luminais portrays the two sons of King Clovis II, who lived in the eighth century.



Because they rebelled against their absent father, their mother Queen Bathilde purportedly cut their hamstrings and set them adrift downstream on a barge to their fate. For these reasons inheritance by one son, usually the eldest, arose to keep the family property together.

In the less regulated, somewhat chaotic early Middle Ages, wills, chronicles and annals record women inheriting, retaining and transferring land ownership, primarily based on personal relationships. Because 'land was a crucial resource, one of the principal bases of all status, wealth, and power' (Wickham 1994, p. 248), women's importance and social prominence in the management of family property empowered them. Nevertheless in the field of land management women did not act in isolation. The church looms large in the source material and kin exerted extraordinary pressure on women, although the sources assert the rights and alleged empowerment of early medieval women in reference to property (Nash, p. 95).

Throughout all levels of society, a prospective wife or her family might give a dowry to her husband: the wife would equally expect a gift from the husband. From late Roman times the gift from the husband to the wife was the norm (and the major payment), although gifts both ways were named *dos* in the Latin documents. Clear distinctions can be made in English by calling the gift from the wife to the husband the dowry and that from the husband to the wife the reverse dowry. As originally conceived the reverse dowry was given to the wife as rights over property, often lands and movable goods. She was able to leave it to her children or, if property, alienate it as she wished (*ibid.*, p. 96). We can see here already that the women of the early Middle Ages had more choice with how they dealt with their property than women in Jane Austen's England.

Nevertheless, widows were subject to predation for their possessions. In the Carolingian period of the early ninth century, when a Frankish noblewoman acquired property by gifts at marriage, inheritance and her endowment in widowhood, she might only have right of temporary possession during her life, be overruled in her donations to the church by her sons, and on remarriage lose her reverse dowry to her second husband. Dowagers' lands owned by aristocratic women were especially subject to theft. The ability of even a queen to retain her possessions was still atypical in Carolingian times.

Unusually, Ermentrude, queen of the Franks in the early ninth century, had the gift of her reverse dowry to the abbey of Corbie (or at least part of her dowry) confirmed by her husband. However, in the late ninth century, Richgard, widow of King Charles the Fat, lost her lands that she had inherited, when Charles's successor took over as proprietor of the convent of SS Felix and Regula in Zurich. Those lands, attached to the convent, were no longer available to her. Similarly in the 11th century, Edward, stepson of Queen Emma of England, deprived her of her land and treasures (*ibid.*, pp. 96–97).

Because of the low population at the beginning of the 11th century, women had value for their labour and as bearers of children. Marriage, supposedly an indissoluble personal union and a social instrument, structured patrimony within families through dowries and marriage settlements, alliances and exchanges of land. Combined with the availability of plentiful

land, the reverse dowry provided for the maintenance of the future widow. Often the reverse dowry remained in the possession and the control of the woman on her husband's death, enabling her to live independently. Sometimes, however, the widow had to fight for her entitlements (ibid., p. 7; Leyser, pp. 168–80).

From the late 10th and during the 11th centuries the reverse dowry transformed into the dower that was more restrictive. Less frequently now the wife was given outright ownership and the husband was jointly responsible for the use-rights (usufruct) *with* his wife, rather than the wife having responsibility alone. Instead of a given piece of property the wife became entitled to a proportion of the income from the husband. In the 12th century the dower gave the wife right of temporary possession of only a portion of her husband's patrimony, of value on his decease but eliminating her financial independence during his life and restricting it after his death (Nash, p. 96). In Jane Austen's day a widow's jointure could be paid instead of the dower. The jointure, which was frequently badly-managed, was set at 10 to 20 percent of the woman's portion, whereas the dower, calculated at the rate of one-third of the husband's income, often gave the widow larger amounts (Mahoney, p. 61).

In northern Europe an additional gift to the bride from her husband after the consummation of their marriage, called the *Morgengabe*, or morning gift, could be inherited by the bride's surviving heirs. Later the practice of giving the *Morgengabe* generally faded away (Nash, p. 96). Nevertheless we know of at least one recent example in Denmark. When Prince Frederick of Denmark married Mary Donaldson in 2004, they were seen in the days after the wedding wearing watches that each had gifted to the other after the wedding night. This was the *Morgengabe*, the exchange of gifts after the consummation of the marriage, publicly acknowledged in modern Europe.

As the 11th century progressed, increased population ensured that land became less abundant for both men and women and so means were found to redistribute what remained. The lavish endowments of monasteries ceased and possessions were snatched back. The newly released wealth helped support the rise of the holdings of the nobles. The princes became somewhat less tolerant of wealthy widows disposing of great inheritances.

Instead they forced them to remarry and used their possessions to build up competitive territorial lordships. As competition intensified, so too did the inheritance customs, and the purpose of marriage changed. In replacing partible inheritance by women and men with primogeniture, families sought to 'preserve, build up and consolidate the patrimony' (Olson, p. 172). The rise of castles and their owners and knights as forerunners of the later patrilineal dynasties of the high Middle Ages ousted earlier family structures (Nash, p. 8). Ownership within the family patrimony shifted:

Women no longer serve as the nodules through which pass the surest kinship ties. The daughter is treated as a marginal member of her father's lineage, and after her marriage, her children will leave it entirely; their allegiance passes to her husband's line. Women also lose the claim to a full (or at least fair) share with their brothers in the family patrimony (Herlihy, p. 82).

The consequence of those events was that women's power through land ownership and inheritance started to decline. Does this sound familiar?

By the early 12th century, the sacramental ideal of marriage had become a distinct concept to ensure dynastic survival. The wife's ownership and control of land gave way to ownership by the husband. Younger sons were now forbidden to marry or were required to marry later and fewer lands were available for brides. Stricter rules encouraged a culture of initiation via tests and trials before breeding and an emphasis on the knight's ultimate goal as marriage. The reluctant groom had to be coaxed to marry; the reverse dowry declined and all but disappeared by the end of the 12th century (Nash, pp. 8–9.)

Countess Matilda and the Precarial Emphyteuse

The rise of the fief, land given primarily in payment for military service, and passed undivided to the eldest son, excluded people who could not give military service, that is, women. An exception to that trend is Countess Matilda of Tuscany. She inherited farms and other property around the river Po in northern Italy from her father and mother in the latter half of the 11th century. With no living brother, husband or other close male relatives, Matilda was not bound by the restrictions of inheritance to

patrimonial stems. To preserve ownership for his family her father had acquired much property by a method that allowed his wife and later his daughter to inherit possessions uncontested. At that time this method of inheritance was called the precarial emphyteuse.

This was very like the later entail that we examined earlier in this paper. It covered immovable property that is leased but where the lessor retains ownership and may require the lessee to improve the land. It guaranteed the wife and the legitimate children of both sexes the continuation of the fiefdom. Matilda's father set up a Three-Generation Contract whereby he was able to leave those possessions unchallenged to his wife and later to Matilda with also military authority related to land ownership (Nash, p. 107; Hummer, pp. 19–21). We see here an inheritance process that allows widows and daughters to inherit in a three-generation contract, not just sons and grandsons – again, shades of the entail but with heritability by a woman.

Careers for Women in the Middle Ages

I have noted above that younger sons of the aristocracy and the gentry in the late 17th and early 18th centuries could have careers in the military, in the law and in the church. Especially during the earlier Middle Ages, educated abbesses, usually from the royal and noble families, headed the great monastic foundations, minted coins, held markets, set up their abbeys as key stopping points for the itinerant royal retinue, presided over the assemblies (especially in Germany), on occasions ruled in the king's absence and generally exercised significant power and managed great wealth obtained from endowments. To be an abbess and to rule one or several monasteries was a viable and a comfortable alternative to marriage. In consequence, certain noble women were privileged because of longevity and relatively greater freedom to inherit property, to control great wealth and to wield great power (Nash, p. 9). This opportunity with its attendant authority, affluence and status was generally not available to women in Jane Austen's time.

In summary, Austen illustrates in her works and letters the difficulties for many women of the late 18th and early 19th centuries to accumulate

sufficient wealth to live a reasonably comfortable life. Primogeniture kept family fortunes together but primarily favoured men to the detriment of younger sons and especially of daughters. We have also seen that the phenomenon was not entirely new. Women in the early Middle Ages, at a time of fewer restrictions and less oversight, could own and control property and do better than women in the later more circumscribed 11th century and indeed the later Middle Ages. Many of the habits and restrictions of Jane Austen's time had their roots in earlier times, but hers seems to have been particularly hard on women.

Conclusion

The inequalities displayed in Jane Austen's thoughtful novels no doubt contributed to the groundswell of political lobbying and the women's rights movement of the mid-19th century. Austen did not live to see the enactment of the Married Women's Property Act 1882, applicable in England, Wales and Ireland (but not Scotland), which allowed women to own and control property in their own right. It altered the common law doctrine of coverture (the legal status of a married woman, considered to be under her husband's protection and authority) to include the wife's right to own, buy and sell any or all the property she held before or after her marriage as her 'separate estate' (Married Women's Property Act, 1882).

If those rights had existed in Austen's time her novels would have differed in their focus. Nevertheless that same penetrating mind would have created other situations in which to place her characters – and to make us laugh and grow wiser via different paths.

¹ Oblique references to the Austen family's relatively impoverished status, and their expectations from James Leigh-Perrot, are scattered throughout Jane's letters, see for example Le Faye 2011, pp. 122, 160, 164.

² The Cambridge University Press edition, referenced here, uses the first edition of *Pride and Prejudice* (as the last edition to which Austen herself contributed), so the spelling here is her own. Similarly, 'Phillips' and 'Philips' occur alternatively throughout.

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