



Josephine Billingham

Infanticide in Tudor and Stuart England

Amsterdam
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Infanticide in Tudor and Stuart England

Gendering the Late Medieval and Early Modern World

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'Twill vex thy soul to hear what I shall speak;
For I must talk of murders, rapes and massacres,
Acts of black night, abominable deeds,
Complots of mischief, treason, villanies
Ruthful to hear, yet piteously perform'd.

Titus Andronicus, V.i.63

Acknowledgments

This book began with a feeling of unease. When researching early modern childhood, on the one hand I was reading texts which confidently asserted that in early modern England infanticide was committed by unwed women to protect their reputations and to avoid punishment. On the other hand, I was studying coroners' inquests which revealed that there were other kinds of perpetrators and motives. Even when those suspected were indeed single women, their actions lacked the logic of straightforward motivation. I wanted to know more, to see whether there was another way of looking at this crime, and whether there were different possible explanations. And, I wanted to bring those other perpetrators out from the shadows and shine a spotlight on them. *Infanticide in Tudor and Stuart England* is the result of my research. Taking a cue from Benjamin Disraeli's reputed comment that 'If I want to read a novel, I write one', it is the book I couldn't find when I wanted to know more about early modern infanticide. It examines the questions I had at the time, and looks afresh at this tragic crime.

Many people have helped me along the road from that initial unease which told me that I must examine this subject, to the finished publication and to all of them I owe my sincere thanks. Between the thought and the book there was a PhD thesis. It was supervised by Helen Hackett at UCL, who always showed a generous amount of interest my research, and our rewarding discussions constantly led me to think more deeply and to consolidate my ideas. That the experience was so enjoyable and rewarding was largely due to her continuing encouragement and the warmth of her personality. The UCL experience was further enhanced by the friendship of my fellow students Yasmin Arshad and Emma Whipday, with whom I enjoyed many stimulating discussions about our respective projects.

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Author's notes

- Italic in primary texts has been converted to Roman unless its original use causes inflection to fall on a particular word.
- Original spellings of primary texts have been maintained unless cited from a secondary text.
- Early modern typesetters were extremely inconsistent in their use of capitalization; for consistency, modern conventions have been adopted for main titles.
- When citing early modern texts:
 - u has been transcribed as v and v as w, as appropriate.
 - vv has been transcribed as w.
 - I has been transcribed as J, as appropriate (e.g. Iohn becomes John).
- Place of publication for all pre-1700 works is London unless otherwise specified.
- Citations from Shakespeare are from *The Complete Works*, ed. Gary Taylor and Stanley Wells, (Oxford: OUP, 1998) unless otherwise stated.
- When citing Coroners' and Assize records, case numbers are included after the page number. For example: Hunnisett, R.F. ed. Sussex Coroners' Inquests 1558–1603 (Kew: PRO Publications, 1996), (104 #417)
- Dates are variously taken directly from the English Short Title Catalogue, Early English Books On-line, the English Broadside Ballad Archive, and archival translations / transcriptions cited, with the exception of Middlesex County Records which uses regnal years. These have been converted to calendar years.
- In bibliographical references, EBBA refers to the English Broadside Ballad Archive: <http://ebba.english.ucsb.edu/>. All ballads are from the Pepys collection unless otherwise stated.
- In bibliographical references, ESTC refers to the English Short Title Catalogue: <http://estc.bl.uk>.
- References to the Oxford English Dictionary (OED) are from the online version as at April 2014: <http://www.oed.com/>.
- References to the Bible are to the Oxford World Classics edition of the Authorised King James version, ed. Robert Carroll and Stephen Prickett (Oxford: OUP, 2008), unless otherwise stated.

1 Losses, Lacunae and Liminality

Abstract

The actions of women who killed their infants often seem brutal, incomprehensible or illogical. Combining primary sources from different disciplines (archival, literary) and examining them from a range of secondary sources including those related to theology, medicine and the law, allows us to gain a fuller understanding of the cultural, emotional, and intellectual landscape of those who killed infants (using the early modern definition of up to the age of seven years). Theories concerning liminality and marginality are particularly illuminating about women's actions and motives. Focussing principally on records from a limited geographical area (the county of Sussex) reveals that, in addition to the single women who were most commonly accused of the crime, married women and men were frequently culpable.

Keywords: Age of an infant; Broadside ballads and pamphlets; Frequency of infanticide; Coroners' inquests

Investigating the invisible

Among surviving seventeenth-century ballads is a copy of a 1640 work about an infanticide said to have taken place in Lancashire.¹ Where the narrative draws to its close, the paper is worn and eroded on the right-hand side of the sheet. The ballad is reduced to incomplete lines which deteriorate into disjointed words and letters which no longer convey the writer's meaning, though the shadow of sense remains:

The Midwife fearin ...
Because she kill'd the ...
Into a Well her sel ...
Where she lay lo ...

¹ Anon, *Wicked Midwife*.

Too many such ...
Before out ...
And th ...
As ...

The page could serve as a metaphor for the study of infanticide. Some material survives allowing a partial picture to be seen, but there are gaps, missing details and uncertain outcomes, so that investigating the subject is frequently a study of voids. Perhaps it is these voids, and the tendency for hazy pictures to develop within them, which have drawn authors across time to create works about the crime, and drawn academics to study it. From Greek tragedy to the Bible, through the Middle Ages to the early modern period and on to the present, the murder of children is a recurring literary subject. Alongside these mainly elite written representations, with their parallels in the visual arts, are the folkloric tales of dead infants, whose origins are lost in time. While literary writers created dramatic narratives and investigated the range of emotions and events which could lead to infanticide, clerks recorded the all-too-routine facts of the infant murders which took place in society, though not all such cases were recorded for reasons the following pages will show. Poised between these two – the literary and the historical – were the pamphlets and ballads which became popular in the early modern period. These cheap, throw-away publications, which are described in more detail below, might be part court report, part news, and part complete fiction, and they frequently described exceptional and sensational instances of infanticide.

As detailed in the historiography below, the range of sources which dealt with infanticide in society has contributed to the crime being part of many academic discourses, sometimes as a mere aside in a broader discussion and sometimes as a dedicated study. Writers on history, the law, the family, the social role of women, and the female body often dedicate a few pages to the subject. Those who make concentrated studies either take an historical approach or focus on the creative literature of the time, often in relation to other crimes committed by women, particularly mariticide. Other studies have focussed on the law and, with the advent of new historicism, debates concerning poverty and the role and status of women. A recurrent trait in these discussions has been the focus on what historical archives tell us: the perpetrators were most frequently unmarried women. It is therefore assumed that they committed the crime because they feared being shamed as bastard bearers, because of the stringent punishments which were meted out to those found guilty of this crime, and because of the difficulties of

surviving as an unwed mother due to the legal and social practices of the time.

The present study does not refute this assumption, but it does re-examine infanticide from the basis of a number of beliefs. The first is that this cause-and-effect paradigm seems too tidy an explanation for infant murder. Instead of accepting this broad conclusion, this study examines the possible impact of the cultural, psychological, emotional, and intellectual landscape surrounding infanticide, and its perpetrators, to try to gain a fuller understanding of the crime. The second belief is that the focus on one kind of perpetrator has led to others who were responsible for the crime, or directly involved in it, being almost entirely omitted from examination. A third belief is that the gaps and lingering questions which both began this chapter and haunt the study of infanticide, are a frustration; we want to know the 'truth', but we have lacunae. Mary E. Fissell's reference to 'interpretative space' which allows many 'different models' to be applied aptly describes these gaps.² In this research I want to treat the lacunae as an opportunity to examine infanticide through the lenses of a range of disciplines and to show how they aid our understanding of the crime, not in an attempt to uncover that ever-elusive 'truth', but to help our understanding of it.

Historiography

Infanticide has invited discussion as part of many discourses. Those who make concentrated studies frequently take an historical approach, including attempts at quantitative analyses, which can arrive at conflicting conclusions.³ For example, in their early and extensive study, Peter C. Hoffer and N.E.H. Hull state that infanticide was 'not rare' but conclude that it is 'impossible' to arrive at a true crime rate, while acknowledging that there were enough cases 'to keep the crime before the eyes of the authorities'.⁴ J.S. Cockburn writes that it was 'relatively uncommon' as does Keith Wrightson, whose study of court records suggests that it was 'surprisingly rare'.⁵ Barbara Hanawalt states it was non-existent in the middle ages, an opinion which contests Richard H. Helmholtz's slightly earlier findings.⁶ A few

2 Fissell, *Vernacular Bodies*, p. 1.

3 Kilday, *Infanticide*, p. 27.

4 Hoffer and Hull, *Murdering Mothers*, pp. xviii, 21.

5 Cockburn, 'Nature and Incidence', p. 58; Wrightson, 'Infanticide in European', p. 8.

6 Hanawalt, 'Childrearing'; Helmholtz, 'Infanticide'.

years on, Catherine Damme wrote that its existence was incontrovertible.⁷ Other writers examine conviction rates, again arriving at diverse opinions. Hoffer and Hull find that the rate of the crime was high after the 1624 Infanticide Act (Appendix 1) and James A. Sharpe writes that 'more women were executed for infanticide than for witchcraft'⁸ while Garthine Walker writes that infanticide was the 'only form of homicide for which women regularly received pardons'.⁹

While the patchy survival of records, and the ease with which the crime could be concealed, means that the frequency of infanticide is always to be open to debate, other aspects of the crime appear to be irrefutable. There seems to be no doubt that it was most commonly committed by unmarried women and, by extrapolation, it is probable that they were driven by a combination of shame, fear for their reputations and the difficulties of their surviving as a lone woman with a child. Awareness of this goes back to Lawrence Stone's early research into the history of the family in which he identifies the lack of strong economic incentive for the rich to practise infanticide by negligence, such as the reputed custom of placing an infant with a wetnurse who was unlikely to care for it. The idea seems to pick up from Philippe Ariès' much-criticised *Centuries of Childhood* which has been widely, and incorrectly, interpreted as suggesting that parental affection for children did not start to develop until the seventeenth century.¹⁰

Social historians Ivy Pinchbeck and Margaret Hewitt extrapolate the idea of infanticide and unwed mothers. They write:

Amongst a class where food was never very plentiful and at a time when individual life was not so highly regarded and the death of an infant no very remarkable thing, the temptation for a woman to escape ostracism and the penalties of the law and rid herself of a responsibility which, without a husband's support, might prove an impossible burden, was not always to be resisted in either town or country.¹¹

Sharpe later wrote: 'The typical infanticidal mother was an unmarried servant girl, and her motives were usually a desire to avoid the shame and

7 Damme, 'Infanticide'.

8 Hoffer and Hull, *Murdering Mothers*, p. 25; Sharpe, *Crime*, p. 158.

9 Walker, *Crime, Gender*, p. 150; ———, 'Just stories'.

10 Ariès, *Centuries of Childhood*. For criticisms of Ariès' research see, for example Hendrick, 'Children'.

11 Pinchbeck and Hewitt, *Children in English Society*, p. 210.

consequent loss of position which unmarried motherhood would bring'.¹² More recently Linda Pollock added:

Those who were charged with killing their babies were invariably isolated women who lacked support networks. [They] committed infanticide to avoid the stigma of illegitimacy: the possible rejection of friends and family, the prospect of losing their livelihoods, and the incurring of church and state penalties.¹³

Certainly, the texts I have studied support the theory that most cases of infanticide concerned single women who were accused of killing their newborns, and it can reasonably be assumed that shame and fear of punishment were contributory factors. However, Phyllis Rackin has written that some historical research is not necessarily inaccurate but 'it is incomplete'.¹⁴ The present research picks up on this statement. My study of all the surviving coroners' inquests from a limited geographical area (described below) suggested a more complex picture of who killed infants, why they did it, and the manner of the killings. Viewing the subject from the perspective of these historical accounts suggested that if you ask different questions, and call on a range of disciplines in the search for an answer, you may gain new insights.

This book, of course, calls on the research of the many commentators who have made highly individual observations about infanticide. Some of these are outlined below, to give an overview of discourses on the subject, while other, more specific, comments will be introduced at the relevant points in the text.

Hoffer and Hull look beyond the demographics of the culprits and place the crime in a wider social context. They write that infanticide was the result of 'violent emotions in a violent age' affected by 'economic conditions and indifference to moral codes' but conclude that 'motivation is as varied as the personalities of the men and women who attempted it and the situations in which they found themselves'.¹⁵ R.W. Malcolmson moves the crime away from something planned and carried out by calculating women and instead captures the unpremeditated nature of the crime. Writing of women who concealed pregnancy, he states that some of them

¹² Sharpe, *Crime*, p. 158.

¹³ Pollock, 'Parent-Child Relations', p. 218.

¹⁴ Rackin, *Shakespeare*, p. 9.

¹⁵ Hoffer and Hull, *Murdering Mothers*, pp. 132, 157.

were 'probably prompted more by confusion and panic, or perhaps the hope for a fortunate miscarriage, and involved no definite notion of what would be done' but hoped that 'some sort of deliverance would occur'.¹⁶ This suggests pregnancy denial, which could easily culminate in infanticide. This complex subject is considered in more detail in Chapter 5.

A unifying theme throughout these discussions is that they consider infanticide in terms of single women. Frances E. Dolan is one of the few who deal at any length with non-stereotypical killers. She suggests that when an unmarried woman killed her child, it was an act of self-preservation.¹⁷ She writes that married women were more likely to be judged 'insane' and describes such killings as destruction of part of the self, whereas infanticide by men was 'social suicide'. These two types of perpetrator are discussed in Chapters 7 and 8.

While most writers construct women as social and legal victims, occasional voices stress their strength. Walker suggests that when the 1624 Act 'to prevent the destroying and murdering of bastard children' (Appendix 1) was passed, it provided opportunities for mitigation which did not exist in murder law, such as lack of signs of violence on the infant body. This made infanticide the only homicide for which women were likely to be pardoned.¹⁸ She finds that courts applied 'normal' standards of proof and that, unlike other female homicides, some suspects were granted pardons. Walker also shows that pregnant women deserted by their lovers asserted their rights against men in bastardy cases to 'access a concept of honesty that could eclipse the shadow of their sexual activity'.¹⁹ Malcolmson also comments on women's strength. He suggests women who killed their infants may have been of formerly excellent reputation, who used their strength of will and determination to salvage what they could of their lives.²⁰ In the broadside ballads which I consider in the current research, similar women are portrayed as tricking and seducing innocents to manipulate their way into the safety of marriage.²¹

Another perspective from which infanticide has been discussed is in relation to the female body, pregnancy and childbirth, areas which were differently understood in the early modern period and which directly impact infanticide.²² Medical beliefs about the female body were changing at this

16 Malcolmson, 'Infanticide', p. 193.

17 Dolan, *Dangerous Familiars*, pp. 132, 142. See also Kilday, *Infanticide*, p. 64.

18 Walker, *Crime, Gender*, p. 152.

19 *ibid.*, p. 232.

20 Malcolmson, 'Infanticide', p. 205.

21 Anon, *Norfolk Lass*; ———, *Countrey Farmer*.

22 Eccles, *Obstetrics*.

time, but briefly, women were thought to be imperfect men with genitals like those of men. The essential difference was that with women they were held inside the body because women were cooler than men, though excessive exertion could cause them to descend. The three dominant beliefs about menstruation, as outlined by Michael Stolberg, were that it was to remove bad matter from the body, was the result of an excess of blood, or was caused by an imbalance in the four humours whose correct balance was considered essential for a healthy body.²³ Failure to menstruate could lead to frenzy, melancholy, madness and hysterical fits and the condition was treated by bleeding.²⁴ Essential to the study of infanticide is that not menstruating was considered only one of a number of possible indications of pregnancy, and was not believed to be a particularly indicative one.²⁵ Equally important to the study of infanticide is that, according to early modern medical beliefs, both the man and the woman produced a 'seed', and these had to combine for conception to take place. As it was thought that these seeds were only released when both the man and the woman had an orgasm, many women were presumably lulled into a false sense of security. The lack of accurate and helpful physiological knowledge would have been compounded by the fact that, as Gowing points out, there were social taboos on discussing the body.²⁶

Gowing also demonstrates that the female body was private, but that suspicion of unmarried pregnancy meant it could become the subject of public contention and physical examination by strangers.²⁷ She shows that rather than being a sisterhood, other women became a threat. A similar point is made by Linda Pollock in her work on the shared experience of childbirth.²⁸ Her article suggests that unmarried women could become constructed as outsiders who were given only grudging help during labour. In addition, rape and unmarried pregnancy could not be spoken of, which underlines Malcolmson's comment that some women pinned their hopes on an undefined fortuitous rescue – a situation which could lead to infanticide.

Infanticide took place within communities and in a world beset by other issues. In part, the subject is bound up with an early modern desire to control women's sexuality and concerns about bastard bearing because an unmarried mother and her infant were a potential draw on poor relief. With this in mind, it is surprising that there was no early modern vocabulary

23 Stolberg, 'Menstruation'.

24 Healy, 'Dangerous Blood'.

25 The complex business of diagnosing pregnancy is considered further in Chapter 5

26 Gowing, 'Bodies and Stories'.

27 ———, 'Secret Births'.

28 Pollock, 'Childbearing'.

with which to discuss the subject. There was no term for unwed mothers so 'bastard bearer' or, more damningly, 'strumpet' or 'whore', were commonly used. Neither was there any term for the fathers of these infants, though they are occasionally referred to as 'bastard-begetters'. They were usually defined by their action: 'begetting a bastard on the body of' thus removing the focus from the man's error to the teeming female body.²⁹ Nor was there any word for the parents jointly, a lack which strangely forces a separation between a man and woman who had created something as tangible as a child. Even if the couple was betrothed but not married the condemnation did not cease and they could be charged with such offences as 'carnall copulation before marriage', as discussed in Chapter 4.

The word 'infanticide' did exist, but it did not refer to the crime. Partially this was because killing an infant was not seen as different to any other form of murder until 1624 when an Act, which has become known as England's first infanticide law, came into being. Instead, 'infanticide' referred to the killer. Only a generation later, Thomas Blount's *Glossographia* (1656) does define the word as applying to the crime. He writes: 'Infanticide (infanticidium) a slaying or killing of infantes, child-murthering; such was that of Herod'.³⁰ Lacking vocabulary, when writing about the killers, the authors of street literature resorted to (or perhaps relished in) attaching adjectives such as monstrous, bloody or unnatural, to the term 'mother' thus emphasising the corruption of the maternal role. This was reinforced by the phrases used in place of the word infanticide. A mother might be described as having 'made away with the fruit of her own wombe' or having 'stopt the breath' and infants were 'made away by their owne Mother'.³¹

Religion naturally had a part to play in infanticide. Wrightson suggests that the almost simultaneous laws against infanticide across Europe (considered in the next chapter) were because the early Christian church associated the crime with the paganism which it was so keen to abolish. He suggests that attitudes toward infanticide were seen as a central differentiation between the two.³² Across societies infanticide was seen as what we today might call a 'horror crime', and considered on a par with witchcraft and sodomy, all crimes which were proscribed in the bible and which doubtless

29 An apocryphal account of new-born murder suggests how hard it is to assess the frequency of infanticide. It states 'How common it is for the Bastard-getter and Bastard-bearer, to consent together to murder their Children, will be better known at the day of Judgement'. Bunyan, 'Life and Death', p. 86.

30 Blount, *Glossographia*, p. X5v.

31 Anon, *Deeds Against Nature*, p. 1; Brewer, *Bloody Mother*, p. B; Anon, *Pittilesse Mother*, p. A3v.

32 Wrightson, 'Infanticide in European', p. 4.

seemed to threaten the stability of society. However, the crime took place within families and small communities, and it could reverberate through them; Gowing describes it as a 'collective trauma'.³³

The findings of decades of academic research circulating mainly around single women motivated by shame and the fear of economic hardship, result in lingering questions. Is there more to it than this? What about other kinds of perpetrators? What are we missing? These are the questions which this book examines. Taking a thematic approach, it will show that infanticide and child killing in early modern England cannot be fully understood by simple explanations. As described more fully below, it opens up the subject in a number of ways.

Firstly, while the majority of the examples discussed concern newborn or very young infants, I also consider older children, prompted by the fact that 'infanticide' was not a defined crime at this time. Secondly, it uses a range of primary sources. The principal historical accounts are a discrete group of surviving Coroners' inquests, a source which has particular benefits when studying infanticide. Alongside these, the research considers the ballads and pamphlets of street literature and the drama of the public stage, including works which do not directly refer to infanticide but imply or approach it in the subtext or imagery. These primary sources, and the rationale for combining them in this study, are set out below. Thirdly, the research uses a range of secondary sources, including those which refer to early modern beliefs about the body, religion and folklore as well as current ideas about perinatal psychology. Theories about liminality, marginality and rites of passage, which have their roots in anthropology, have proved particularly helpful for understanding infanticide more fully. By applying the expertise of writers from a number of disciplines to representations of infanticide, my aim is to reveal the complexity of the crime.

The age of an infant

Researchers into historical periods frequently base their definition of infanticide on current English law which defines the crime as the killing of an infant under a year old by its mother, with the murder of newborns and children under one month defined as neonaticide.³⁴ Such a stipulation did not apply in the early modern period. The 1624 Act uses the term 'child'

33 Gowing, 'Secret Births', p. 115.

34 Ministry of Justice, *Murder, manslaughter*.