

Passion, reason and human weakness. The European marriage pattern and the control of adolescent sexuality

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Introduction

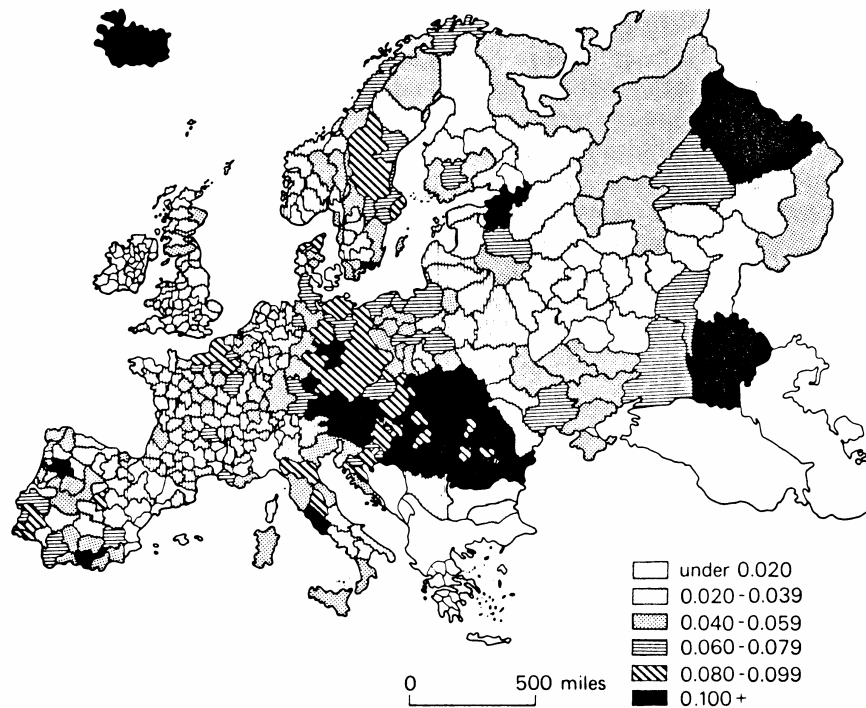
In 1810, in the Dutch city of Haarlem, the unmarried parents August Henning and Margaretha Koster appeared before a notary to draft a solemn document in which they described how they had ‘courted a considerable time in the prospect of entering into a legal and happy marriage’. However, marriage had to be postponed ‘due to the difficult times causing the [father] to be without breadwinning or occupation’. Unfortunately, pregnancy had occurred because ‘a too great passion and affection, coupled with human weakness, had overwhelmed reason’.¹ This simple story epitomizes the tensions intrinsic to the European marriage pattern. Neolocal household formation required spouses to have sufficient means of existence, either through inheritance, savings or income from labour. This implied that, until the era of effective contraception, couples had to refrain from sex, or at least to be very careful. Obviously, the control of fertility through late and non-universal marriage could not function if some sort of sexual abstinence among unmarried youths could not be enforced. The need to restrain adolescent sexuality was made even more pressing by another element of the north-west European household formation system: the circulation of young people as servants. High youth mobility made supervision by the parents inadequate and employers, friends and neighbours had to take their place. In his study on a parish in Kent (about 1860), Reay observed the workings of the village control on courtship (about 1860). For instance, a woman named Susan Hole testified before the magistrates that she had seen Emma Smith and Alfred Butcher together in a meadow ‘several times by themselves between 8 and 9 at night’ and that she had told them to ‘mind what they got about’.²

Most demographers agree that, by and large, north-western Europe has been successful in restricting the bearing of children outside marriage. Illegitimacy did not endanger the fertility control that was realized by restricting nuptiality. In his 1965 paper, Hajnal showed that in 1900, the overall fertility levels of Sweden, a country with traditionally high numbers of illegitimate births, were still no match for the levels of Bulgaria.³ To Hajnal’s enumeration of formation rules of the north-western European household system we could thus add the principle that procreation by unmarried persons was not tolerated. By studying the history of those who violated this implicit rule, we learn more about the system itself.

As a point of departure, the nature of premarital sexuality in traditional societies has to be understood. For many, sex sealed the mutual agreement to marry and social control mechanisms generally ensured that marriage would indeed take place. Control was exerted on many levels, not only by parents, neighbours and employers, but also by the Church, welfare institutions and secular authorities. Changes in (the effectivity) of these control mechanisms could lead to increases in extramarital births. However, the risks of illegitimacy were not equally distributed in society. For women with unfavourable prospects in the marriage market, sex may have been the price for gaining a marriage promise from their lovers. This type of bargaining, however, was full of risks. Another Kent villager testified: ‘she asked me if she was in the family way would I make her a home. I said Yes certainly she then said she was in the family way and I told her to go

away'.⁴ An abandoned woman having lost her 'honour' would face severe difficulties in finding a suitable husband. The double standard encouraged men to have premarital sexual experiences and on the other hand to reject 'indecent' women.⁵

In this article, I will review the literature on illegitimacy in European history with the following questions in mind. To what factors can high levels of illegitimate births be attributed? Were these levels concomitant with or were they a threat to the European marriage pattern? To what extent were the forces capable of regulating access to marriage capable of regulating extramarital sexuality as well? We will look at the evidence from three perspectives. In the next section, we will explore the regional differentiation of illegitimate fertility within Europe, on both sides of the famous line running from Trieste to Leningrad. Then, we study the explanations presented for the unparalleled surge in illegitimacy between 1750 and 1850. Were the principles underlying the European marriage pattern undermined, did the control mechanisms falter or were these developments actually compatible with the courtship customs? Finally, we look at the numerically important group of unmarried mothers whose pregnancy clearly could not be attributed to the anticipation of marriage. These women bore more than one illegitimate child and a number of these 'repeaters' lived in a consensual union. To what extent was their behaviour a deviation from or even a challenge to the common household formation rules?



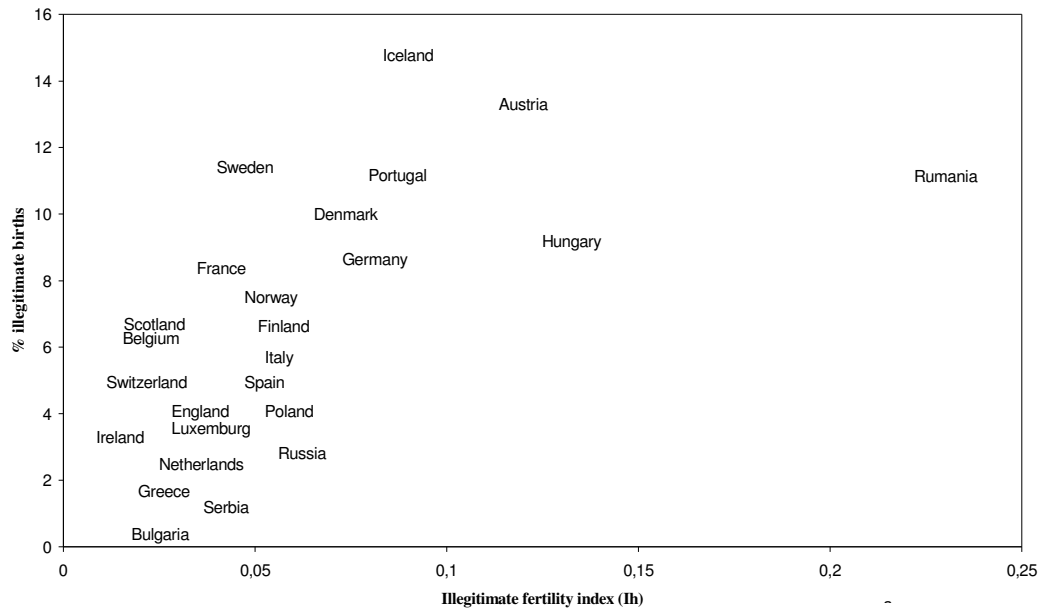
Spatial variation in illegitimacy in Europe

In 1972, Shorter, Knodel and van de Walle published a map showing the provincial levels of illegitimate fertility around 1900.⁶ Their data were derived from the Princeton European Fertility Project. Similar to the other fertility indices, I_h presents non-marital fertility (standardized for age) as a proportion of the biological maximum realized by married Hutterite women. Because the provincial data in the Princeton Project were most complete around 1900, the map is useful for our purposes.⁷ To be sure, from the 1880's onwards I_h started to decline in most countries. However, a calculation shows that the map reflects the regional differentiation in the period around 1870 as well.⁸ Areas with extremely high I_h (+0.10) can be found in central Europe, in particular in Hungary, Rumania and in parts of Austria, with Carinthia in a leading role ($i_h=0.22$). Also, high levels are to be found in parts of Scandinavia and in particular in Iceland. Relatively high are the levels in Lowland Scotland, Portugal (province of Bragança), north-western France, and southern Germany (Bavaria). Low levels can be found in Ireland, Netherlands, Switzerland, parts of Italy, Russia and above all, on the Balkan peninsula (Serbia, Greece, and Bulgaria).

The illegitimacy index I_h is a very precise measure for the *tendency* of unmarried women to give birth. However, it does not show to what extent overall fertility was actually influenced by this tendency. In other words, a high I_h need not in itself be a threat to the 'nuptiality valve'. Apart from their I_h , the contribution of unmarried women to total fertility is determined by their relative numbers (and thus by nuptiality) and by marital fertility. In figure 2, I have recalculated the Princeton data for 1900 in term of the 'illegitimacy ratio', or the percentage of illegitimate births to all births.⁹ For the sake of simplicity, I present national means. Obviously, this is not to suggest that spatial variation can be understood in terms of national entities. An illuminating example is Austria. Whereas Carinthia had an extreme ratio of 40,4% in 1900 (and 46,4% in 1870), the ratios in neighbouring Tyrol stood at a modest 7,1% in 1900 (and 5,3% in 1870). The figure roughly summarizes what we saw in the map. Once again, Rumania and Hungary, along with Austria, Scandinavia and Portugal stand out with high levels of illegitimate births. In these countries, the unmarried women's contribution to total fertility was certainly not negligible. On the other extreme, we find Ireland, The Netherlands and the Balkan countries with very low levels. On closer inspection, we see that Austria and Iceland, although having far lower levels of I_h than Hungary and Rumania, reached higher percentage of illegitimate births. Also, countries with comparable levels of I_h (e.g. Russia and Sweden), diverged widely when it comes to the actual impact of illegitimacy.

Interpretation of the regional variation in illegitimacy in terms of the north-western European marriage pattern is not a straightforward matter. According to Peter Laslett, the map of I_h in 1900 shows that 'in general the west and the north had noticeably less sexual nonconformism than the east and southeast at the outset of the twentieth century'.¹⁰ Given the persistency of regional levels of illegitimacy, he concludes that bastardy is not just another trait of the north-western European family system. Michael Mitterauer, in his 1983 study, reaches the opposite conclusion. In his opinion, the countries east of the Triest-Leningrad line were characterized by generally low levels of illegitimacy, which was to be expected given their system of early and universal marriage and their low proportions of unmarried servants. He describes the extremely high illegitimate fertility in 1900 in the areas north of the Danube river as a short-lived phenomenon.¹¹ The marriage pattern of north-western Europe, however, could go together with either low or high levels of illegitimacy.

Figure 1. Index of Illegitimate fertility and illegitimacy ratio, per country in 1900.



Mitterauer's 1983 book is an impressive attempt at a comprehensive explanation of the regional differentiation in illegitimacy. He carefully avoids the trap of oversimplifying the complex phenomenon of 'bastardy'. Because it is still authoritative, I will present a brief summary of his analysis.¹² In Mitterauer's view, high or low regional levels of illegitimacy can only occur when several independent variables reinforce one another. The most important explanatory variables are religion, systems of kinship and family formation, courtship customs, and labour relations.

Among the non-Christian minorities in Europe, illegitimacy occurred relatively rare. As for the Jews, Talmudic prescriptions favoured high fertility, and thus advocated early and universal marriage which reduced the risk of bastardy. During the sixteenth and seventeenth centuries, official ceremonies of the Christian churches replaced other marriage rituals and religious disciplining of sexuality intensified. An exception in this respect is Iceland, where the Christian ethics never overruled the old traditions. Even among the (Lutheran) Icelandic clergy in the first half of the nineteenth century, 18% of the first-born children was illegitimate, that is, born before the official marriage of the parents.¹³ Between the broad catholic and protestant denominations, there were no systematic differences in levels of illegitimacy. Very high and low levels occurred in protestant countries (e.g. Scotland and the Netherlands) as well as in catholic ones (e.g. Austria and Ireland). Of more importance were the orthodox revival movements that are to be found in the history of many countries. For instance, in the seventeenth century, Calvinism and Puritanism had decidedly lowering effects on the percentages of illegitimate births in both Scotland and England. In France and Bavaria in the same period, the Counterreformation led to the same results. In Austria, the Counterreformation had a lasting impact on the religious mentality of Tyrol, whereas it hardly struck root in Carinthia. Even centuries later, the former area could be characterized as pious, the latter as indifferent or downright anticlerical. Part of Carinthia's illegitimacy can be attributed to the refusal of many couples to secure a church

wedding. Similarly, regional variation within Sweden can be related to the differentiated impact of the 19th century evangelical reform movements.

Mitterauer describes the household formation systems to the east and the west of the line Leningrad-Triest in terms of the relative strength of the patrilineal kinship principle. In the east, this principle had led to extended families where labour needs were generally met by family members. When necessary, the family attracted servants from outside, but they were, typically, adopted into the family. There was a high value placed on female fertility and age at marriage was low. These factors in itself explain the low illegitimacy ratios of, e.g., Russia. The Balkan peninsula was characterized by unmitigated patriarchy, traced by Mitterauer to the fierce competition of clans for scarce pastures. The patrilineal foundations of the clans were symbolically expressed by an ancestor cult (the yearly Slava festival). The strength of these joint families lay in increasing the number of males. The position of women in these pastoral communities was extremely subordinate; in Albania they even lost their first name at marriage. Women were simply supposed to provide sons and to safeguard the family honour by refraining from all prenuptial sexual initiatives. Draconic measures were taken against transgressors: women could face the death penalty for a prenuptial pregnancy.

Extended families were not restricted to eastern Europe. Stem-family systems existed in, for instance, southern France, where the heir could already marry when his father still retained headship. These systems were characterized by low ages at marriage for the heirs and low illegitimacy ratios. When heirs had to wait with marriage until their fathers retired, ages at marriage were much higher. In Carinthia, heirs even had to wait until the death of their mothers. However, many of them already had families of their own before official ownership of the farm enabled them to marry.

In the distinctly patriarchal areas of south-eastern and eastern Europe, sexuality of unmarried women was strongly repressed. Bridal virginity was central to the family honour. On the other hand, popular culture in the north-western part of the continent was often remarkably tolerant towards prenuptial sexuality. In fact, in various parts of 19th century western Europe, a *minority* of first-born children had been conceived after the wedding.¹⁴ To some extent, this can be ascribed to the significance of the betrothal, which was only partly replaced (or not at all, as we have seen in the case of Iceland) by the official wedding. In some areas of Scandinavia, parents simply waited with the wedding until the popular season or until they had acquired additional resources. One may surmise that in these areas, the sexuality of engaged couples was apparently not related to material perspectives. However, in a case study of a Jämtland (Northern Sweden) village, Marks found that the choice of a partner was based on the capacity to work. Families could survive on wage labour (logging), combined with agriculture. However, the inheritance of land traditionally marked the proper wedding and the legitimation of the children.¹⁵ In many areas of central and northern Europe, sexual rights were given to adolescents, even before official engagement. Scottish *bundling*, Dutch *kweesten*, Swiss *kiltgang*, and German *fensterln* were all customs which allowed village boys access to the nubile girls' bedrooms. Girls could have a succession of these visitors, before finally settling on a marriage partner. These customs required a strict control by the village youngsters who did not allow strangers to the girls and who checked up on couples during their nightly roams through the village. The excitement of customs like these might have compensated for the long period of abstention required of west-European youths.¹⁶ In periods of stable social relations, these youth cultures did not necessarily engender high levels of illegitimacy. However, in the next section we will see that disruptions of communities traditionally tolerant towards prenuptial relations may be one of the reasons behind the illegitimacy 'explosion' in the period 1750-1850. In other areas of western Europe (southern

France, Ireland) parents exerted a much stricter control on their daughters.¹⁷ In such cultures, the balance was less easily broken.

According to Mitterauer, one of the major causes of regionally high illegitimacy levels were the living conditions of farm servants and (unmarried) day-labourers. In itself, their late ages at marriage increased the risks of illegitimacy. But these risks were further increased by conditions of high mobility and weak control by the employers. Finally, dependent on the proportions of servants living in such conditions, illegitimacy ratios could soar. Mitterauer shows how inheritance customs favouring one heir created large, undivided farms in Sweden, Westphalia and the eastern Alps (for instance, in Carinthia). Particularly in cattle breeding areas, these farms required the continuous presence of servants who lived in large numbers on the farms. The agricultural expansion in the 19th century increased the demand for labour even further. In these areas, there would always be work and a home for an unmarried mother and her child.¹⁸ In other areas, fewer servants were needed and consequently there was less willingness to take care of an extra infant. Arable farming needed workers on a seasonal basis, and tended to attract married daylabourers. Also, few servants, let alone their children, were needed in wine-growing areas with had therefore low levels of illegitimate births. Likewise, employers of urban domestic servants were disinclined to sustain additional children and kept their subordinates under close supervision.

To sum up, in Mitterauer's view the European marriage pattern is positively related to bastardy, given a number of preconditions. An important precondition is the culturally determined tolerance towards prenuptial sexuality. Another crucial variable is the relative number and the living conditions of servants, in particular in the countryside. In various countries, we can observe the influence of these factors. In Ireland, repression of adolescent sexuality and a relative low incidence of service combined to create very low levels of illegitimacy. In the Netherlands, prenuptial sexuality was very common, but it led seldom to the birth of an illegitimate child. The control by parents and the community did not falter, because the population density and the small scale nature of Dutch agriculture prevented hazardous concentrations of mobile adolescents. Also, social policy in the Netherlands actually favoured the marriages of the poor, whereas in other countries, marriage restrictions increased the illegitimacy levels (see below).¹⁹ As we have seen, in other areas the scale is tipped towards the opposite side. Carinthia won a leading position in the rank order of European illegitimacy, due to a lack of religious discipline, tolerance of premarital sexuality and strong demand for labour on farms with large numbers of living-in farmhands. One of the salient features of European illegitimacy is its dramatic upsurge in the period 1750-1850 in virtually all areas. In the next section we will see how this has been explained in relation to the European marriage pattern.

The rise of illegitimacy

A sexual revolution?

In the seventeenth and early eighteenth century, the percentages of illegitimate births (the illegitimacy *ratios*) were low all over western and northern Europe: in England between one and a half and five per cent and in Sweden between two and a half and six per cent.²⁰ Dutch levels were even lower, but are similar to those on the Flemish and French countryside.²¹ During the eighteenth and the first half of the nineteenth century, north-western European illegitimacy ratios doubled or even tripled.²² In the German parishes studies by Knodel, the ratios increased gradually after 1750 but remained well under five per cent until 1790.²³ They then rose steeply to thirteen

per cent in 1820-1829, and declined rapidly from 1860 onwards. Dutch trends followed a similar pattern, albeit on a lower level.²⁴ In most of the other countries in Europe, the decline did not set in until about 1880.²⁵

In the 1970's, the 'discovery' of these historical developments triggered off intense debating and hypothesizing about the interrelations between proletarianization, urbanization and changing sexual relations. In recent studies, grand theories are often felt to be inadequate in explaining the highly complex phenomenon of illegitimacy, which can only be fully understood in its local context. As Reay tersely puts it: 'Our ignorance about the sexual attitudes and behaviour of people in the past is matched only by a desire to rush to generalization'.²⁶ The following summary of the research on the subject can only be such a generalization, lacking the subtlety of many recent interpretations.

In the first interpretations, the rise of illegitimacy seemed to rock the foundations of the European marriage pattern: the links between sexuality and the traditional preconditions for family formations appeared to be broken. In Edward Shorter's explanatory model, a number of interrelated 'strategic changes' undermined the traditional attitudes.²⁷ These changes were: population growth, the spread of the capitalist market economy, urbanization and the spread of secondary education. Because of population growth, the number of propertyless people increased. In the countryside, the agrarian revolution created employment for many of them. Young workers, on the payrolls of modernizing agriculturalists, formed 'youth subcultures', shedding traditional inhibitions against sex and early marriage. No longer were they restrained by the necessity to wait with sex and marriage until a farm could be taken over. One of Shorter's followers described their 'romantic' life-style lyrically: the workers 'revelled in the freedom to love, marry and beget, or just to love and beget'.²⁸ A large part of the redundant rural labour-force found employment in the cities and their expanding industries. Here, they were liberated from the traditional supervision by relatives and fellow villagers. And here they came into contact with the 'urban way of life'. Especially in the anonymous atmosphere of the city, the new 'capitalist' values of individualism and self-expression could flourish. These values, also spread by primary education, implied a change in the attitude towards sexuality, because, according to Shorter, 'expressiveness means a lot of sex'.²⁹ In sexual relationships, which often resulted in illegitimate births, young women 'emancipated' themselves from the bonds of the family and the village. During the nineteenth century, these urban values spread throughout the countryside, as local authorities lost their powers to have young men and women abide by the rules.

From Shorter's point of view, the rise of illegitimacy heralded the 'first sexual revolution' in Europe. Sexuality itself changed from a barter between future spouses to a form of self-expression. Shorter's theories have met with abundant and convincing criticism.³⁰ His ideas clashed with the historical facts on at least three scores. Firstly, the explosion of 'bastardy' in rural areas often antedated and surpassed the rise of illegitimacy in urban areas. This severely reduces the explanatory power of 'urban values'. Secondly, Shorter describes the transformation of sexuality as an irreversible process. He contends that the decline of illegitimate fertility did not take place until the techniques of birth control reached the adolescents in the late 19th century.³¹ However, in various countries such as the Netherlands and Germany, the illegitimacy ratios declined already from the 1850s or 1860s onwards. Finally, Shorter can not explain why so many unmarried women should wait with their 'self-expression' until they had reached the mean age at marriage. On the whole, parents of illegitimate children were roughly of the same age as parents who were married, even those whose first child had been prenuptially conceived.

Illegitimacy and nuptiality

Table 1 summarizes the results from a number of recent family reconstitutions and shows the ages of unmarried mothers, compared with married mothers, at the time their first child was born. The table shows that a prenuptial pregnancy did not lower the age at marriage very drastically, the differences were at most two or three years. In other words, couples with a prenuptially conceived first-born child had waited with sexuality almost as long as the couples who conformed to the principle of prenuptial chastity. The marriages of the former group may have been advanced due to a ‘miscalculation’ of the marriage options. Another cause may be the somewhat higher fecundity of this group, as demonstrated by Knodel.³² This suggests that, given a certain degree of sexuality within courtship, this group had unwittingly run higher risks than others. Finally, the pregnancy may have been a conscious means of exacting a parental permission to the wedding. At least, Dutch oral history and regional novels point in that direction.³³

Table 1. Mean ages of mothers at first birth by legitimacy status, Germany, Holland and Scotland in the nineteenth century.

	illegitimate	legitimate	
		prenuptially conceived	postnuptially conceived
6 German villages, 1800-1849	25,3	24,8	26,1
6 German villages, 1859-1899	25,3	24,3	26,2
5 North-Holland villages, 1815-1834	27,6	25,3	26,5
5 North-Holland villages, 1890-1909	25,2	24,0	26,6
Dutch city of Haarlem, 1815-1834	25,7	26,0	27,2
Dutch city of Haarlem, 1890-1909	23,8	23,4	27,5
Parish of Rothiemay, Scotland, 1801-1850	26,2	23,0	26,3
Parish of Rothiemay, 1851-1900	23,9	25,7	26,6

Sources: German villages: J. Knodel, *Demographic behaviour in the past: a study of 14 German village populations in the eighteenth and nineteenth centuries* (Cambridge 1988) 230; North-Holland villages and Haarlem, J. Kok, *Langs verboden wegen. De achtergronden van buitenechtelijke geboorten in Noord-Holland, 1812-1914* (Hilversum 1991) 50; Rothiemay: A. Blaikie, *Illegitimacy, sex, and society: northeast Scotland, 1750-1900* (Oxford 1993) 97.

Until the end of the nineteenth century, single mothers were not particularly young. Therefore, their (first) pregnancies may have occurred during ‘normal’ courtship. For a number of them, the marriage may have been postponed until after the birth of the child. In the 19th century, about a third of the illegitimately born Dutch (North-Holland) and German children were legitimized by the marriage of the parents.³⁴ In North-Holland, about two-third of the legitimated children were still below age two.³⁵ Family reconstitutions show that single mothers who married,

did so at a later age than all other women.³⁶ This implies that they had more difficulty than the prenuptial conceiving women to secure a ‘timely’ wedding.

Assuming that a significant share of all illegitimate births was a result of anticipated, but frustrated, marriage, we once again ask how the rise in illegitimacy can be explained. In theory, it is most likely that in periods when marriage opportunities were restricted, more couples had to postpone a wedding, even when the girl was already pregnant. This suggests a parallel relationship between age at marriage and illegitimacy. However, historical reality defies this simple scheme. On the Continent rising illegitimacy levels were indeed more or less associated with a decline in nuptiality. In England, however, illegitimacy *increased* along with nuptiality. This remarkable fact inspired Peter Laslett and others to formulate a ‘courtship hypothesis’ of illegitimacy.

The courtship intensity model

English time series (1550–1850) show that illegitimate births and prenuptial pregnancies ran parallel to each other and to general fertility, but inverse to the age at marriage. In other words, when the inhibitions to early marriage were lessened, there was also more tolerance towards pre- and extra-marital sexuality. Apparently, the forces regulating fertility and access to marriage were also capable of controlling sex outside marriage. Favourable economic conditions - especially rising wages - were a stimulus to striking up (sexual) relationships. In such periods, the ‘courtship intensity’ was high, with a normal and inevitable proportion of ‘accidents’ in the form of prenuptial pregnancies and illegitimate births, especially in those areas where tradition permitted youthful boldness in prenuptial relations. On the other hand, when access to marriage was limited, illegitimacy went down.³⁷ Recently, Jona Schellekens has put the courtship hypothesis to the test in a number of multivariate models. In one model he relates the long-term development of illegitimate fertility (I_h , 1581-1810) to trends in nuptiality and real wages, as well as to changes in communal control and in marriage regulations. A dummy variable was added for the Commonwealth period (1651-60), when Puritan control was most intense and fornication even became a punishable offense. Other dummies were added for the Marriage Duty Act (1695-1705) that improved registration of marriages and for the Clandestine Marriage Act of 1753 that resulted in more children born in common-law marriages being registered as illegitimate. Schellekens’ analysis confirms that the increase of nuptiality (and thus, of courtship) was the major factor behind the rise of illegitimacy in the eighteenth century. When nuptiality is held constant, real wages are *inversely* related to illegitimate fertility. However, when nuptiality is omitted from the model, the real wage variable does not have a significant effect. According to Schellekens, these outcomes suggest that rising real wages increased the feasibility of marriage and thus stimulated courtship and extramarital conceptions. However, to a certain extent these influences counteracted one another, because marriage could also intervene more often to prevent children from being born illegitimate.³⁸

In England, I_h rose until the 1860s and declined steadily from that time onwards. Although still consistent with the trends in nuptiality, Schellekens multivariate model for the 19th century indicates that now real wages had become the most important variable. The decline of illegitimate fertility was clearly triggered off by the increase in real wages in the second half of the 19th century. Probably, rising prosperity among the working classes led to a changed attitude towards official marriage. Increasingly, marriage was considered instrumental to establish and defend the newly acquired rights to property.³⁹ By the late nineteenth century, the decline of illegitimate

fertility was sustained by the dissemination of contraceptive methods.⁴⁰

The early dependency of a large part of the English population on wages and the lack of a connection between marriage and the (prospects of) property, may explain why the English patterns were so different from those on the continent, or even from those in Scotland. There, the courtship intensity model has no applicability at all.

Marriage frustrated

On the European Continent and in Scotland, the rising numbers of illegitimate births during the second half of the 18th and the first half of 19th century were generally related to declining marriage prospects. Also, the percentages of bridal pregnancies increased. In every instance, this increase was due to those couples that had waited with marriage until the final months of the pregnancy.⁴¹ In the German parishes studied by Knodel, the rise of illegitimacy and bridal pregnancy coincided with a rising age at marriage.⁴² In my analysis of local variation in Dutch illegitimacy, marriage opportunities appeared to play a leading part. In 23 North-Holland communities in the first half of the 19th century, the female age at marriage was positively and strongly correlated with illegitimacy. Conversely, the marriage rates were negatively associated with illegitimacy.⁴³

The rise in illegitimacy is often seen as the consequence of the proletarianization of peasants from the second half of the 18th century onwards. Cottage industries may have cushioned the effects in some areas, but when these could no longer compete with factory industry, the system of 'normal' household formation collapsed. For instance in Flanders, the countryside plunged into a protracted depression in the late eighteenth century, due to population growth and the division of agricultural plots. The possibilities for (early) marriage waned: age at first marriage rose to a culminating point in the 1850s. According to a number of Belgian authors, couples increasingly postponed their marriage until the woman was pregnant, and for a growing number of them the wedding came too late, that is, the child was born illegitimate.⁴⁴ Blaikie traces the unprecedented increase of bastardy of in 19th century Northeast Scotland to the regression of 'the opportunities for independent family formation'.⁴⁵ Expansion by modernizing farmers led to a shortage of tenant holdings. However, labourers and servants still expected to obtain a croft sooner or later, and started courting (and having sex) in that expectation. In the same vein, Marks attributes the explosion of illegitimacy in late-19th century Jämtland to the appropriation by logging companies of the land, which robbed the loggers from the opportunity to obtain their own cottage. As we have seen, the local customs in this area tied marriage to the acquisition of a farm. In the 1930s, when government regulations facilitated agricultural credits, illegitimacy declined rapidly.⁴⁶

In the coastal districts of the Netherlands, dairy farming retained its small scale character. The rather short-term rise in prenuptial pregnancies and illegitimacy seems to have been caused by the decline of real wages and employment during the economic crisis of the late eighteenth century. The depression was exacerbated by the French occupation during the Napoleonic Wars, which led to a complete stagnation of Dutch shipping. In particular the cities and the fishing villages were struck hard in this period. The available evidence suggests that marital postponement in this period increased the number of prenuptial pregnancies, and thus the risk of illegitimacy.⁴⁷

The contraction of marriage opportunities has been indicated as the major cause of the rise of illegitimacy in most north-western European countries. However, this can only be one part of

the story. Did not the European household formation system rest on the self-restraint of couples, guarded by various controlling instances? Why had the system become incapable of enforcing the patience and abstinence that was apparently necessary?

The erosion of control

In many north-western Europe families, parental authority was clearly incapable of supervising the behaviour of children until their marriage. Not only did children marry at an age when one or both of their parents may already have died, many of them lived in other households, often far away from the parents. Therefore, other persons had to ensure that the community was not burdened by extra children. These persons ranged from friends and neighbours to employers, the overseers of the poor, church elders and magistrates.

Social and cultural changes during the 18th and 19th centuries undermined the network of controlling mechanisms in many ways, although in some areas and periods more intensely than in others. To an important extent, the rise of illegitimacy was caused by the growth of that part of the population that could not be easily controlled. Many studies show that the daylabourers contributed disproportionately to the illegitimacy levels.⁴⁸ The agricultural revolution increased the class of daylabourers and servants and diminished their prospects of a cottage of their own. Fewer plots were available for tenants, whereas the declining mortality, itself a result of the new crops (e.g. potatoes), led to an increased age at marriage and to larger proportions of single youths. Demographic pressure ensured that their wages could be kept at a minimum. In search of better labour conditions, workers frequently moved to another farm. On many farms in the modernizing districts, groups of workers were housed in separate buildings. Contemporary observers condemned the mixed housing of workers in these sheds (*bothies* in Scotland) as a major cause of illicit sexual relations. The farmers themselves had lost their paternalist attitude towards their personnel. One Scottish commentator (1903) lamented over 'the gradual decay of community of interest between employer and employed'.⁴⁹ While saving money for their wedding, many of the workers were free to have children and to live in some sort of consensual union. Because of their greater mobility, such relationships were often broken up and the women left behind, pregnant or already with a child.

In the same period, the urban middle classes were rapidly expanding both in numbers and in wealth. Domestic servants underlined their new status and the demand for servants increased enormously. Very often, these girls were attracted from the countryside. The female surplus on the marriage markets of many cities lowered their individual chances. But the specific social position of servants made them even more liable to become unwed mothers. In their search for a marriage partner who could ensure a decent and stable income, they entered courtship and obtained marriage promises in exchange for sex. However, the conditions that ensured a happy ending in the rural context no longer existed. Firstly, their parents could not supervise the courtship and their bourgeois employers certainly would not take their place. In fact, the girls had to be secretive about their relationships. According to Gillis, 'the necessity of secret betrothals restricted the kind of public interest and pressure to which courting couples were normally subjected'.⁵⁰ Secondly, their relations were frequently ill-matched, either with men above their rank (e.g. sons of family), or below their rank (the male servants). Finally, even when they had found 'suitable' partners, such as skilled workers, the high mobility of these men often led to disruption of the relation.⁵¹

Another factor to be considered is the gradual decline of religious control on family

matters. In Scotland and the Netherlands, studies on the impact of Calvinist discipline in the 17th and early 18th centuries suggest that effective control was reached, not in the least because a large part of the population internalized the Churches' objections against extramarital sexuality. In the Netherlands, the Calvinist Reformed Church called upon the civil authorities to support the fight against fornication. Some authorities imposed a fine on prenuptial pregnancies. But the local churches themselves were in the forefront. In the early 17th century, the Amsterdam Church Council devoted half of its time to matters of discipline, among which sexual misdemeanours loomed large. Sanctions against church members were the public admonition of sins and the prohibitions from taking place in the Lord's Supper. A close reading of the Amsterdam church records shows that after 1600, prenuptial fornicators became increasingly aware of the sinfulness of their offence.⁵² In the first half of the 17th century, church discipline not only rather effectively influenced the sexual conduct of the church members (about a quarter of the population of Amsterdam), but of other groups in society as well.

In Scotland, Calvinist discipline was even stricter than in Holland. The parents of bastards were punished harshly, but married couples as well could not get away with a prenuptial pregnancy lightly. In the 18th century, couples had to pay consignation money when they took out the banns. They forfeited the money, when their first child was born within the first nine months after the wedding. In cases of doubt, midwives were called upon to testify on the development of the babies' nails and their ability to suck. According to Mitchison and Leneman, Church discipline effectively regulated behaviour: 'We see here a nation learning to contain sexual impulse mainly within the narrow range of opportunity that society made permissible, out of genuine acceptance of religious doctrine. This containment lasted through a period of rapid economic change in the eighteenth century, but did not survive the industrial revolution'.⁵³

In the 19th century, Church control was only a shadow of what it once had been. In Scotland, putative fathers were no longer summoned to appear in person before the Kirk Session. Most cases of bastardy were dealt with in writing.⁵⁴ In the Netherlands as well, 19th century discipline was limited to the female transgressors, at least in the mainstream Reformed Church. Church elders in a North Holland village (1821) were concerned about the moral laxity of the flock, but were aware of the fact that 'stern measures would only wreak evil and turmoil'.⁵⁵ However, in the Orthodox revival movements of the late 19th century, moral discipline would be restored.

Civil authorities of the 17th and 18th centuries often backed up church discipline by outlawing (sexual) relations outside holy matrimony. For instance in the Netherlands, concubinage was a criminal offence that could be punished by a high fee or even banishment. In the 19th century, the separation of Church and state in a number of countries removed many aspects of sexuality from the field of criminal justice. One of the most important changes was that the traditional paternity suits were abolished, in countries such as France and the Netherlands. From then on, the recognition of a child by his father was a purely voluntary act. In these paternity suits, the authorities had made bastard begetters liable for the consequences, meaning that they at least had to pay alimony for the child. Also, single mothers could try to regain their lost respectability, by demonstrating how their lovers had betrayed their marriage promises. The restoration of honour was very important in subsequent attempts at finding a marriage partner. For the single mothers, therefore, this development certainly increased their vulnerability.

In Central Europe, early 19th century policies aimed against the settlement and the proliferation of paupers, had the counterproductive effect of stimulating illegitimacy. In many areas of Germany, the permission to marry was granted only on certain conditions. The applicants had to prove they had sufficient means to sustain a household. Workers could settle only, when

the authorities were convinced of the demand for labour. Applicants also had to be of irreproachable conduct. In some places, women who were already pregnant, lost the right to marry. Districts with marriage restrictions, were also the districts with the highest levels of illegitimacy.⁵⁶ In Switzerland around 1850, cantonal policies towards marriage were very divergent, which according to Head-König resulted in unequal levels of illegitimacy. At one extreme was the canton of Glarus with only 1,8% of illegitimate births. Here, the judges enforced a marriage in case of pregnancy, even without a marriage contract. At the other extreme with 12,4% was the canton of Lucerne, where the authorities prohibited the marriages of the poor, even when the woman was pregnant.⁵⁷ In Germany these restrictive laws were repelled in the 1860's, out of concern of the staggering illegitimacy ratios. Indeed, the ratios fell off rapidly since then.⁵⁸

To sum up, the slackening of the control on sexuality traditionally exerted by employers and authorities formed a precondition - not a cause in itself - of an increase in illegitimacy. In some areas, social policy actually stimulated concubinage by restricting marriages of the poor.

Repetitive bastard bearing

The bastardy prone sub-society

Many family reconstitution studies disclosed that illegitimate births were not randomly distributed phenomena. There were always quite a few unmarried mothers who bore more than one illegitimate child. Also, unmarried mothers often had close kin connections to one another, as mothers and daughters or as sisters. In other words, a part of illegitimacy cannot be attributed to failed courtship or to marriage postponement. Is a high incidence of 'repeatership' an indication that the norms underlying the European marriage pattern held no sway in some parts of society? English reconstitution studies showed that the proportions and fertility of 'repeaters' were relatively higher during periods with high illegitimacy ratios than during periods with low ratios. In the period with low ratios (1640-1739) the proportion of repeaters among unmarried mothers was in many parishes well below 10%, whereas during the period 1740-1839 it ranged from 10 to 25%.⁵⁹ According to Peter Laslett, this finding means that the rise in illegitimacy was caused, at least in part, by the behaviour of a specific sub-group of bastard-bearers. Socialization of children within this group with its deviant norms towards sexuality and marriage would continue and spread prostitution, concubinage and illegitimacy. To determine membership of this 'bastardy prone sub-society', Laslett formulated a definition. Members had to be either repeaters, or 'singletons' with a connection to other unmarried mothers, bastard-begetters or other 'nonconforming' persons.⁶⁰

Subsequent research has confirmed that in other countries as well, repeaters contributed disproportionately to the rise in illegitimacy. In the city of Haarlem (North-Holland) during the first decades of the 19th century, about 22% of unmarried mothers were repeaters responsible for no less than 43% of the illegitimate births in this period of 'high' illegitimacy. In the countryside these figures were respectively 15% and 31%. During the period with low overall rates (1870-1909), these percentages declined to respectively 12 and 25 (Haarlem) and 7 and 15 (countryside).⁶¹ Similarly, in the Scottish parish of Rothiemay, repeaterdom boosted overall ratios. Blaikie calculated that during the 1871-1880 decade, 'when more than one in four children was born out of wedlock, 46 per cent of the mothers gave birth to 59 per cent of the illegitimates'.⁶² The presence and disproportionate contribution of local repeaters can also explain much of the local variation found in illegitimacy ratios.⁶³

Although the numerical importance of repeaters is undisputed, the notion of the bastardy prone sub-society has been widely criticized. Levine and Wrightson stated that the conspicuous kin connections were simply an artefact of the family reconstitution method. The sedentary nature of part of the local unmarried mothers made them liable to have all kinds of connections to other village members appearing in criminal records et cetera. In short, it was their *visibility* which suggested that they formed a special group.⁶⁴ Most network studies in which Laslett's definitions were put to the test, concluded that unmarried mothers had just as much connections to 'conforming' villagers than to 'nonconforming'. A clearly demarcated sub-society was nowhere to be found. Blaikie even demonstrated that a substantial part of the Rothiemay kirk session elders would have to be included in the 'bastardy prone sub-society' following Laslett's definition.⁶⁵

According to Levine and Wrightson, repeaters were fully integrated in the popular culture, although they were a particularly vulnerable group. Likewise, other authors emphasize that once a woman had lost her 'honour', her chances of a 'decent' marriage declined rapidly.⁶⁶ The putative partners of repeaters were most often different men, which, according to Blaikie, suggests that casual encounters played a large part in the sexual behaviour of repeaters.⁶⁷ However, one may also surmise that instable relationships were their only option. In order to survive, they had to turn to prostitution or to enter into rather desperate relationships, e.g. with married men. Some married an elderly man and ran the risk of becoming a widow soon. One example from the Dutch town of Alkmaar is the unmarried mother Sara van den Brink whose subsequent marriage did not last long. In 1819 it was reported that she had deserted her husband 'without any argument, because she simply could not stand his deformed body any longer'. After this, she would once again bear illegitimate children.⁶⁸ Because of the cultural value attached to female chastity, illegitimacy could become a cumulative process. Unmarried mothers with their very low prospects on the marriage market resorted to relationships that increased the chances on further illegitimate births. In Dutch towns, they often shared housing with other unmarried mothers in order to pool incomes and childcare. Children raised in such stigmatized families themselves entered the marriage market with low prospects.

In recent studies, objections have been raised against the suggestion that repeaters passively suffered their fate, being 'prone' to illegitimacy. Several authors point to the 'functionality' of illegitimacy. In the absence of social welfare arrangements, illegitimate children may have been an old-age insurance for their mothers.⁶⁹ O'Neill's detailed study of a Portuguese hamlet showed that illegitimate children met the labour needs of many extended households. Because these children were by definition disinherited, they had the additional advantage of not being able to lay a claim on the household's landed properties.⁷⁰ Blaikie speculates how the increased longevity of the parents reduced the availability of leases and thus prevented the young from marrying. Elderly couples needed the income their servant daughters could provide, while they themselves took care of their daughters' children.⁷¹ Indeed, without some sort of arrangement for child care and thus a basic tolerance towards bastardy, repeatership would be impossible.

Concubinages

To some extent, repeatership can be ascribed to stable consensual unions. It has been alleged that, among wage workers in various countries, concubinages were a normal stage of family formation. Marriage would follow when the woman was pregnant or when the first (or even second) child was born. Indeed, in countries such as Sweden, betrothal was considered a more important transition than legal marriage. In the third quarter of the 19th century, 40 per cent of Stockholm couples that registered the banns already lived in a marriage-like relationship.⁷² In northern

Sweden, the actual living together of an unmarried couple was celebrated by a village feast called *skjuta på björn* (shooting at the bear). However, in the same popular culture, the (few) single mothers without stable relationships were forced to wear a *horluva* (whore's cap).⁷³

In other countries, however, the estimations of the incidence of concubinage seems to have been exaggerated. In France, these estimations have been based on the number of illegitimately born children officially recognized by the father or even on those who were born at home (instead of in an hospital).⁷⁴ In these studies, concubinage appears as a rather romantic and typical proletarian (temporary) substitute for marriage. However, the statistical measures employed do not reveal the actual households of unmarried parents. My own research using the population registers, show that in the Netherlands concubinage was rare, although most confinements of illegitimate children took place at home and at least a third of the children were recognized. In the cities, about 20 per cent of the unmarried mothers appear to have lived in a consensual union. In the countryside, concubinage was virtually absent with only 3 per cent of unmarried mothers cohabiting.⁷⁵

Recent studies tend to describe concubinage in terms of frustrated marriage. We have already discussed the legal barriers to marriage in central Europe. In France, these barriers were of a bureaucratic kind. Getting married was a time-consuming and costly affair because of the large number of documents that had to be produced. In particular the migrants, who were especially numerous in Paris, had great difficulties in arranging these documents. Various charitable organizations assisted the poor with the monetary and bureaucratic problems associated with official marriage. One of the most successful was the Société de Saint-François Régis, that put an end to thousands of Parisian concubinages. In the period 1826-1854, this society alone was responsible for more than 7 percent of all marriages in Paris. According to Ratcliffe, this proves that legal obstacles, not an indifference towards marriage, were the major motive to cohabit.⁷⁶ One of the reasons why in Holland concubinage (and illegitimacy) were relatively rare, was the fact that throughout the 19th century, the poor could easily procure a document exempting them from the legal dues.

Conclusion

In principle, pre- and extramarital sexuality endanger the functioning of the European marriage pattern. Adaptation of the incidence and age of marriage to the availability of economic resources would be meaningless, if procreation outside marriage was common. Some sort of containment of sexuality was needed, because of the long period youths had to wait until marriage and their high mobility associated with service. In this article we have seen how the norms underpinning the European marriage patterns were both commonly internalized as well as upheld by configurations of social control. The norms were internalized because sexuality was generally restricted to the final stages of courtship, sealing the agreement to marry. The ages of unmarried mothers and pregnant brides hardly diverged from the ages of mothers who became pregnant after the wedding. In some areas, high levels of illegitimacy can be associated with pre-modern definitions of marriage, not with a malfunctioning of 'Hajnal's' household formation system. However, social control was crucial in channelling prenuptial sexuality. It's effectivity rested on stable societies with relatively small numbers of servants and day labourers. Also, when secular and religious authorities backed up the supervision by parents, employers and neighbours, the risk of

illegitimacy was strongly reduced.

During the 18th and 19th centuries, all kind of changes undermined the effectivity of moral discipline. Control by churches, local officials and employers gradually slackened, which formed a precondition of an increase in bastardy. In some countries, paternity suits were abolished, thus freeing men from the consequences of their absconding. Often, the marriages of the poor were repressed in one way or another, which had the contrary effect of stimulating cohabitation and illegitimacy. One of the most important causes of the rise in illegitimacy was the strong increase in the numbers and mobility of servants and wage workers. Because of their mobility, it became more difficult to ensure that marriage promises were observed in case of pregnancy. Fundamentally, the rise in illegitimacy was caused by the *continuity* of traditional mentalities in a social context that was undergoing rapid change. This was also evident in those areas where the basic requirement for traditional marriage, the acquisition of a farm or land, could no longer be met. The proletarianization of peasants intensified the traditional reaction of marriage postponement. Increasingly, marriages were postponed until the wife was several months pregnant or already with child.

The decline of marriage opportunities led women to take greater risks in courtship as well as increased their chances of being deserted. In particular in cities with disturbed sex ratios, acquiring a marriage promise by consenting to sexual advances may have been an important female survival strategy. The eventual consequence was the formation of a group of women who had virtually lost all chances on the marriage market. These 'honourless' women, having been abandoned by their first lover, entered into a succession of unstable relations and contributed disproportionately to the illegitimacy ratios. Their children may have formed a new nucleus of bastard-bearers and begetters. The conspicuous phenomena of repeatership and 'bastardy' networks can thus be seen at outcomes of a protracted period of marriage postponement, that in itself was closely related to the functioning of the European marriage pattern.

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