

The Unmarried Mother

Until January 18, 1578, Apollonia Vöglin's life had been fairly typical of many rural young women of her day. Born in the Franconian village of Löhrberg, she had for the past three years lived and worked as a maid at the home of her sister and brother-in-law in nearby Immeldorf. The arrangement had been worked out by her father, Michl Vogler, after he learned that she secretly became engaged around the age of sixteen. Vogler had consented to pay for a formal wedding after Apollonia worked for two years, but the agreed upon date came and went with no wedding and after an additional year of pleading, her father remained as intractable as he had always been. Meanwhile, her fiancé, the journeyman Steffan Hassl, had purchased a cottage outside the town of Onolzpach and urged her to move in with him. But without a public wedding, Apollonia refused and Steffan was forced to sell the cottage and continue waiting. About the same time (that is, in March 1577), Apollonia attended a church wedding in Immeldorf as well as the riotous celebration that followed. There, according to her own later testimony, she met another journeyman named Cunz, better known as the Palm Cutter.¹ That evening Cunz accompanied Apollonia and her brother-in-law's male servants back to their house. When the other servants went out to their beds in the barn, Cunz stayed behind in the house, besieging Apollonia with declarations of love, promises of marriage, and plans about them running away together. Although they each knew the other was already engaged to another, she "allowed herself to be talked into it" and let him have his way with her. Over the next several weeks, they had sex at her brother-in-law's house about five times and then the affair fizzled. The following fall the Palm Cutter married his fiancée. Apollonia later claimed that besides Cunz, "no man had ever touched her." By Pentecost in early June of that year, she had begun to notice her abdomen getting bigger, so she



Fig. 1.1. A housemaid in Nuremberg (ca. 1650).
Germanisches Nationalmuseum Nürnberg.

started wrapping herself with a linen belt. Secret pregnancies were hardly unheard of, but the great majority of these were resolved by quick marriages, abortions, miscarriages, or even abandonments. Apollonia's misfortune by contrast had an especially tragic outcome. Early in the morning of Saturday, January 18, 1578, she gave birth in secret to a baby girl, which she later admitted strangling.² Seventeen days later she was arrested for the crime and thereupon began the fight to save herself from the executioner's axe.

Apollonia's sad tale is a variation on a familiar literary topos: an unmarried girl impregnated and jilted by a young cad, is forced by shame to hide her pregnancy, and finally, in desperation, murders her newborn child. In early modern Germany, a confluence of several demographic and social developments threatened to make infanticide a more common reality than at any time since antiquity. Most notably, an economic downturn from the mid-sixteenth century on exacerbated the late marriage tendency already common among Western Europeans. The extended period of premarital fertility that resulted multiplied the possibilities for single young women to be involved in voluntary and involuntary sexual encounters and thus the incidence of unwanted pregnancies. At the same time, both Protestant

and Catholic secular authorities began much stricter punishment of sex outside of marriage, with particularly harsh consequences for unmarried mothers and their illegitimate children. The crime of infanticide was also vigorously prosecuted and punished as never before, particularly in some imperial cities such as Nuremberg. All of this undoubtedly made Apollonia's predicament worse and her crime presumably more commonplace. In fact, infanticide continued to be the rarest and most extreme option for a young woman in Apollonia's predicament. To explain this unexpected result requires an understanding of the circumstances behind her action as well as the various options she faced up until that fatal moment. Viewed in sequence, the choices available to women in her situation reveal much about early modern sexuality, domestic relations, marriage, and personal freedom as well as the centrality of informal child circulation within this framework. Viewed in combination with the various constraints Apollonia faced, such options also help to explain how such a desperate act might occur but how it was prevented in the great majority of cases.

Sex and the Single Maid

As was usually the case, Apollonia's unwanted pregnancy took place during the transitional period between childhood and full adulthood. For most girls, this began anywhere from ten to sixteen years old and ended at marriage, which could be as late as a woman's thirties. Like other early modern age transitions, the end of childhood was marked less by a biological development such as menarche—which appears to have started at fourteen at the earliest and more typically as late as sixteen or seventeen—than by a change in social situation.³ The most readily visible marker was the girl's departure for domestic service in another household. Until the beginning of the modern era, perhaps 30–40 percent of all girls over fourteen worked as maids in other people's houses. About one-third of these had been employed since the age of ten, but most started later, like Apollonia Vöglin, who tells us that she was about sixteen when she moved to her brother-in-law's house to serve as a maid.⁴ Most of those who did not enter into service remained in their parents' households until marriage, usually working in the house or nearby, sometimes begging for the family, and in a few cases knowingly sold by their parents into prostitution.⁵ Before the eighteenth century, only a tiny minority of teenaged girls went away to convent or boarding schools and even those who attended small German schools or private "corner schools" received only brief and rudimentary training before the onset of full household chores, either at home or elsewhere as a maid.⁶ After all, except for

those girls in Catholic lands who became nuns, running one's own household as a wife and mother was the universal vocation for women. In this respect, Apollonia's domestic service in particular had the double advantage of not only enabling her to develop her housekeeping skills but also—and more importantly—allowing her to build up a wedding dowry sufficient to marry. It also had the added benefit of relieving the financial strain on her family's household.

Significantly, the transitional period that encompassed domestic service coincided almost exactly with the time when girls reached their sexual maturity and first experienced some relative independence.⁷ That transitional period, moreover, could be quite extended. Given the common northwestern European pattern of late marriage (on average, about twenty-five for women and twenty-eight for men), a young woman entering service at Apollonia's age might experience at least ten to fifteen years of fertility before marrying.⁸ As today in industrialized societies, this life phase can be characterized as a distinctive and often unstable mixture of dependence and personal freedom. While working in their own homes or someone else's, young women such as Apollonia rarely had any kind of economic independence or security, yet unlike most married women (of whom the same might be said), teenagers and women in their twenties—particularly those living away from home—experienced for the first time a multiplicity of opportunities for voluntary or involuntary sexual relations. It is hardly surprising that these young women's lack of experience in dealing with men, combined with their new attractiveness to the same and a potentially long waiting period before marriage, resulted in a great number of illicit and unwanted pregnancies.

Yet were maids such as Apollonia truly more vulnerable to this undesired condition than their other unmarried counterparts? If not, why then were maids so prominent in legal records of fornication, abortion, abandonment, and infanticide?⁹ Above all, domestic service entailed geographic and thus social displacement. Most young women, like Apollonia, served fairly near their homes but far enough away to require a new social network.¹⁰ The site of their service might be determined in a variety of ways. In Nuremberg, the town council established official employment agencies for maids only.¹¹ Young maids could also turn to private individuals, who were not supposed to charge for their services. More often, girls and young women, especially from the countryside, flocked on their own to the job fairs held several times a year in town and country alike. Or, as was apparently more common with daughters than sons, the arrangement could be managed without any third

party, with the girl often serving with acquaintances of her parents or, as in Apollonia's case, *en famille*.¹²

The role of a young maid in her initial placement was usually passive, with the position itself usually contracted between the employer and a girl's father or guardian; only older women made their own arrangements. Apollonia's placement and contract were all kept within the family and under the stern oversight of her capricious father. It is unlikely that she underwent the usual formal ceremony, consisting of a written contract, a handshake, and possibly a gift from the employer, such as a hairbrush or a "bond penny" (*dingpfennig* or *Mietpfennig*). Once "bonded" (*gedingt*; *verdingt*) in this way, a maid was not allowed to change masters before the specified time limit, two years in Apollonia's case; otherwise she forfeited the larger part of her salary and possibly faced a serious fine.¹³ Apparently Michl Vogler promised to pay her the entire dowry at the end of the agreed upon time (though he did not live up to his end of the deal). Normally a maid was supposed to receive installments of her total salary, usually in semiannual or annual lump sums, as well as food, lodging, and presents (especially clothing) at Christmas and other times of the year. In return, she would reside at the employer's house (in Apollonia's case, that of her sister and brother-in-law), often sharing not only a room but a bed, until the contract ran out. Apollonia, as we know from her amorous encounters and secret childbirth, was fortunate enough to have her own room, but it is unclear whether she also received any spending money. Her duties were likely general and unspecified; only wealthy households could afford a full-time cook or nanny (the two highest paid female posts).¹⁴ Ideally, by the end of this servitude she would have secured both her father's consent to marry and enough money to make a respectable dowry, enabling her to marry Steffan.

There were many ways Apollonia might have been derailed from this ideal path of respectability and become unintentionally pregnant. The inadequacy of domestics' pay in itself often made the ideal scenario unworkable. While overall demand for servants soared during the sixteenth and seventeenth centuries, only the minority of young women working in bourgeois or aristocratic homes appreciated any real financial benefits. Even then, the best-paid female servant always earned less than the worst-paid male servant of a household. On average, male servants and day laborers throughout Germany were paid two-and-a-half to five times as much as their female counterparts.¹⁵ Under such conditions, the two essentials of attracting a mate—attractive clothing and a suitable dowry—remained long out of reach for many young maids. Consequently only one in four maids

were married by the age of twenty-five (compared to two-thirds of the remaining female population), and on average maids married ten years later than other women.¹⁶ In a few wealthy imperial cities such as Nuremberg, this situation was mitigated by a dowry fund for poor girls, but unfortunately only a handful of awards of 20 fl. each were made annually (in a city of over 40,000).¹⁷ Maids from poorer backgrounds were naturally hit the hardest by such conditions, but during the bad economic climate of the sixteenth and seventeenth centuries many young maids from middle and upper class families, such as Apollonia's, were forced to put off marriage or marry beneath their social rank.¹⁸

Not surprisingly, many maids chose to leave their employers before the end of their contractual period, sometimes after only a few months or weeks. Employers found it particularly difficult to keep domestics during April through October, when the women could earn much more as day laborers in the fields.¹⁹ Given the demand for servants, such women knew that there would then be no problem finding placement in the city after the harvest. Secular authorities throughout Germany responded to this perceived disorder with a flood of mandates and ordinances attempting to freeze servants' wages and enforce maids' contracts. Meanwhile prospective employers continued to lure some women away from their positions with promises of "more pay, tips, beer, money, or other devices," especially clothing.²⁰ In some places the demand was so great that the requirement of previous references was waived and maids could often have their pick of employers. Some found markedly better conditions, most did not, but the overall effect was the same: extensive job turnover and geographical instability among maids and servants in general, all during a prolonged period of potential sexual activity and fertility.

The liberty of maids in Apollonia's situation should not be exaggerated. Whichever job she chose and however often she changed, a maid's ability to earn a sufficient dowry remained severely constrained. Frequent mobility also made securing a marriage partner more difficult. In Apollonia's case, her leaving would have jeopardized not only her engagement to Steffan but also her father's willingness to pay any dowry. Like many maids, Apollonia thus held up her end of the service contract, even if her employer (in her case, her father and her brother-in-law) did not. Many did not run off to a job fair once they started to get bored or dissatisfied with their position, and a great number of maids apparently endured considerable abuse from their employers. Fear of economic insecurity was probably the most common reason for staying put, though this might be coupled with a sense of obligation to an employer, relative, or guardian or fear of reprisals.

Once in service, Apollonia would have been almost completely reliant on her master for food, lodging, and clothing. Maids were also vulnerable to accusations of theft (sometimes true) and other attacks on their reputation or person. A maid impregnated by her employer was in fact the most common adultery scenario among married men throughout the early modern era.²¹ Often we encounter instances of a quid pro quo arrangement between an employer and his maid, with promises of money or even marriage in exchange for sexual favors, though marriage was at best a cruel delusion. Occasionally genuine love and affection surface in the records, whether or not marriage was promised or intended. On the other hand, an employer might apply various levels of coercion, from what would today be called sexual harassment to rape, considering it part of his privilege as the master. Close quarters undoubtedly intensified the temptation for such men, but a separate maid's room—such as Apollonia's—could not guarantee protection from unwanted advancements.²² Household dynamics could produce a number of variations and combinations of all these themes.²³

Some employers claimed that they were the victims, as maids blackmailed them with threats of crying rape. Certainly rape in general was drastically underreported, partly because of women's fear for their own reputations and physical safety, and partly because of the severity of the penalty it merited, namely, death. The government of Nuremberg stood out for its execution of six rapists between 1600 and 1692, though even this is an astonishingly paltry number of convictions for an entire century (which included long periods of military occupation).²⁴ Secular authorities generally favored male employers over female employees, in some cases forbade a woman from pressing charges of rape or seduction unless her reputation was spotless. According to a contemporary Neuchâtel legal formula: "A girl will be considered a virgin if she has good morals and a good reputation without any suspicion, and if she does not give in to the will of a young man unless he had first promised her faith of marriage in the presence of at least two honorable witnesses."²⁵ For some, an alleged rape that resulted in pregnancy in itself disproved the accusation since well into the eighteenth century it was commonly believed that orgasm (indicating the woman's willingness) was necessary for conception.²⁶

A rape case involving a Nuremberg contemporary of Apollonia Vöglin illustrates the precarious status of a young woman's reputation at all times. In 1582 the two guardians of fifteen-year-old Apollonia Tortelein learned that the girl's master, Sebalt Kayser, had repeatedly forced himself upon her. They immediately petitioned the Nuremberg town council, which in turn summoned and questioned young Apollonia, asking her why she hadn't

told either of her guardians about this earlier. Remarkably, her interrogator was even empowered to threaten her with torture if she refused to talk.²⁷ Upon his arrest the next day, Sebalt Kayser admitted taking the orphan in as a potmaker apprentice three years earlier, but maintained complete innocence as to all charges of rape. In his view, the accusation was part of a shakedown scheme by one of the guardians who demanded the exorbitant sum of 300 fl. for the girl's lost honor. According to Kayser, "He'd had her for about two years [and] she wasn't much good—had run away once or twice, and one time stayed for twenty weeks outside in the yard of her [married] sister—but each time she had returned and been rebonded."²⁸

When this counter-accusation of personal instability failed to work, Kayser tried a different tack, admitting that one night while drunk he got into his wife's old bed in the children's room, not noticing until the morning that Apollonia was in the same bed with him. (His wife was away on a cure at the local spa—a common situation in such cases). The next morning he claimed to have awakened with no memory of what happened during the night but either way it couldn't have been rape since "the girl could have easily left when she saw that he'd laid down in the same bed."²⁹ Pressed further, Kayser admitted that it happened once more, but stood by the time-honored defenses that drunkenness on his part and silence on hers equaled a consensual act.³⁰ Bound and threatened with torture, he continued to deny more than two encounters, this time adding "after he did it with her the last time, he felt guilty about it and only half a year ago did he go [back] to communion with his wife, and he doesn't know how the evil adversary and drink had thus tempted him."³¹ Only after Apollonia Tortelein was reexamined (again with threats if deemed necessary) did Kayser's already weak story begin to unravel fully. First he admitted that he had been awake the first time and that he whispered to her, "Apple, let me inside from behind," and she willingly let it happen and made no cry. He also conceded that she had been a virgin at the time. When his young charge was brought before him, he broke down completely and admitted his guilt.³² His full confession and pleas for mercy did nothing to mitigate his sentence of decapitation, carried out four days later. What remains unclear is the effect all of this had on young Apollonia, who—after attempting to run away several times and then enduring not only the ordeal of repeated forced sex with Kayser but also a humiliating public investigation—was herself brought before the magistrates and berated for being less than forthcoming, and thereby branded a dishonored woman.³³

Apollonia Vöglin never mentioned any sexual advances from her brother-in-law employer, but this immunity was hardly guaranteed by

virtue of his kinship. Sexual coercion and dishonor also threatened those young women who remained at home or among relatives for their service. Incest, however, rarely escaped the “conspiracy of silence” within the household and thus—like rape—was seriously underreported. Also like rape and adultery, such abuse usually only came to light with an unexplained pregnancy or birth and thus usually after the usual early modern fertility age of sixteen–seventeen.³⁴ It is remotely possible that Apollonia had in fact been impregnated by her brother-in-law, which would have constituted incest, subject to execution at the stake (in which case her reticence in speaking out would have been quite understandable). Most incest cases involved girls in their mid- to late teens and their stepfathers. Occasionally a mother was also executed for complicity, such as Kunigunda Küflederin, who eventually confessed to learning within weeks of her second marriage that her new husband was molesting her daughter, but despite her anger and intention to make it stop, claimed that she was afraid to send her daughter out into the world as a beggar—a pathetic commentary on both the economic necessity of her marriage and the fragility of any girl’s reputation.³⁵

It is even more unlikely that Apollonia’s impregnator was her own father, though it is not impossible. Reported instances of sex between siblings or a biological father and daughter were rare and as shocking to early modern sensibilities as to those of modern times. Valentin Goldner, executed for fathering seven children by his biological daughter, appears to have been truly an exceptional figure. There are only four instances of this type of incest in the criminal records of Nuremberg between 1550 and 1620.³⁶ Often these relationships also involved violence or the threat of it. In 1587, seventeen-year-old Gertraut Schmidtin told Nuremberg magistrates how four years earlier her brother had held her down and raped her at knife-point. Rather than encountering sympathy from her interrogators, she was pressed to admit that their sexual encounters continued almost weekly, and that during the past year her biological father had also slept with her three times. Like most incest victims during the era, Gertraut’s claim that the two men had “treated [her] very poorly and beaten her badly” had little bearing on her case. The same was true of her description of attempts to escape through service positions, which were always thwarted by her father and brothers, who dragged her along with them to their constantly changing residences.³⁷ As in all rape cases, girls over fourteen were consistently assumed to be temptresses involved in consensual relations and then punished with their male relatives. Usually this meant a lesser punishment for them, such as public flogging or banishment, but in a few cases, such as that of Gertraut Schmidtin, the victim was actually executed alongside the perpetrator.³⁸

A young woman who survived such ordeals emerged not only psychologically scarred but socially stigmatized, especially if her sexual contact had led to the birth of an illegitimate child. Here, as in other instances of illicit pregnancy, her options were decidedly limited. If no child resulted, she could flee to another position, as the young Apollonia Tortelein had repeatedly tried, but often this would require making the rape public—a dangerous option as already seen. Silence out of fear and shame no doubt often seemed the safer course, again, possible only without any visible pregnancy. If, on the other hand, the “stain” on the woman’s honor became known, she would encounter great difficulty in securing a new position, let alone a respectable marriage.

Obviously not all unwanted pregnancies were the result of involuntary sexual intercourse. Apollonia enjoyed many opportunities to meet and become intimate by choice with members of the opposite sex. Early modern communities, particularly cities, teemed with young, unmarried people; by some estimates, perhaps two-thirds of the population was under the age of thirty, with about half of those young people between fifteen and thirty years old. Domestic servants constituted a particularly large proportion of this group, with three times as many maids as male servants in some areas.³⁹ The high presence and visibility of young and unmarried maids, particularly in large cities such as Nuremberg, were viewed with suspicion by many married contemporaries, male and female (see fig. 1.2). In popular literature, maids were often stereotyped as especially promiscuous, ostensibly accounting for their overrepresentation in fornication and illegitimate pregnancies. In his *Seven Devils* diatribe, Philemon Menagius warned of the many wiles of young maids, who were themselves “nothing but ashes and dirt,” concerned only with new clothing and seducing men.⁴⁰ Certainly the new quasi-independence of many teenaged girls and young women played a role in this statistic, as did the typically long period most maids were forced to remain single.

The nature of young women’s sexual encounters naturally varied widely but some common patterns are detectable, particularly in those instances where pregnancy resulted. The most typical scenario for premarital sex, and the one with the broadest popular approval among contemporaries, took place within the confines of a publicly announced—and therefore legitimate—engagement to be married.⁴¹ In what most people viewed as the natural course of events, a young woman met a suitable beau (often through the matchmaking of female relatives) and if she felt sufficiently attracted or otherwise swayed, the two would secure the permission of their respective fathers and announce their intention to wed during a public ceremony,



Fig. 1.2. A broadsheet portraying various types of female servants conversing near Nuremberg's main market. The maid placement agent (A) gossips with the cook (C), who in her distraction allows a dog to eat some of her groceries. Both the nanny (B) and the farm maid (E) are also caught up in idle chatter, while the house-maid (D) is herself being chatted up by a young noble, with assistance from Cupid in the window at top left (1652). Germanisches Nationalmuseum Nürnberg.

usually at one of the families' homes. In traditional thinking, this secular event—which included certain vows, possibly a wedding contract, and a wedding toast—constituted the essential foundation of a marriage. By the sixteenth century, couples were still expected to “complete” their union with a church ceremony but the two events might be separated by several weeks, months, or as in the instance of Apollonia and Steffan, years. During this intermediate period, most members of the community considered the young man and woman exclusively committed to each other and effectively married. In some regions, the two were referred to as groom and bride or even husband and wife. There was consequently widespread toleration (except among zealous religious reformers) of sexual intimacy between engaged youths during this period before “coming to honor” with a formal wedding.⁴² Throughout Germany, there was even a ritualized practice (variously known as *fensterlehen*, *nachtfreien*, and *gurgeln*) that consisted of a young man sneaking into a woman's bedroom (usually while her father was out) and then lying together in bed with their clothes on, having long discussions, some petting, and perhaps intercourse (see fig. 1.3).⁴³

This relaxed attitude of most people toward premarital sex between fiancés was a matter of special concern to secular and religious officials. A 1582 Nuremberg ordinance forbade such a couple from taking full regalia during their formal weddings and ordered straw wreaths, as symbols of shame, for



Fig. 1.3. A young man beginning or concluding a clandestine overnight stay in his fiancée's bedroom (ca. 1650).

both the bride and the groom to wear. In addition to the downgraded wedding, each individual had to endure some type of punishment for fornication, usually an extended stay in one of the city's towers on a diet of bread and water.⁴⁴ Most lay people apparently ignored such admonitions, but pastors in Franconia and elsewhere still attempted to apply a "chastity test" for marrying couples. A 1655 account of the Nuremberger Georg Phillip Hardörfer tells of a pastor earnestly inquiring of an engaged couple whether "they have not had sinful relations with one another," to which both immediately respond "no." He then offers a toast to the health and salvation of the couple and tells them that if they have told the truth the wine will taste good, otherwise it will turn into gall and poison. And sure enough, as soon as the guilty groom tastes bitter wine he admits the truth, condemning his bride to wearing the shameful wreath of straw in the church ceremony.⁴⁵ Certainly by the less tolerant seventeenth century, some of this moral rigor had spread to the population at large, but traditional notions and the appar-

ent frequency of bridal pregnancies indicate that quick marriage remained a common and acceptable resolution of an out-of-wedlock pregnancy.

As an apparently unconsummated clandestine engagement, Apollonia's betrothal to Steffan did not exactly fulfill the communal expectations for courtship and marriage. The opposition of Apollonia's father posed a still greater obstacle. Even pregnancy within that context, however, was vastly preferable to the other common way that a young maid might become pregnant, through casual sex with a stranger such as the Palm Cutter. Yet such an encounter became much likelier once Apollonia entered domestic service, given that she would now spend a considerable amount of time on her own in the public sphere, going to wells or markets, delivering messages, and doing errands, even in the evening.⁴⁶ These activities allowed for many informal contacts with men, single or married, as did numerous social occasions such as feast days (especially May Day and Christmas) and weddings. Various single-sex youth groups, both formally and informally, conspired to find ways to meet eligible members of the opposite sex. Throughout Germany, girls organized dances and other events, while boys roamed in bands, visiting girls' homes or stopping in at the notorious spinning bees (*Spinnstuben*), held in private homes or inns, where they found spinning young women with whom they could eat, gossip, joke, sing (often lewd songs), and dance. According to historian Michael Mitterauer, "there were [numerous] social institutions which virtually forced adolescents into contact with the opposite sex."⁴⁷ Chaperones were usually expected among "reputable" girls, thus it was not surprising that when Apollonia Vöglin attended the wedding feast in Immeldorf, her brother-in-law's male servants accompanied her (see fig. 1.4). Obviously their concern was well placed (if not consistent); no sooner had the chaperones gone to bed than the young man she had just met proposed marriage to her and promised to take her away.

Who were these young men who wooed, impregnated, and then usually abandoned maids and other young single women? According to popular literature, soldiers were the most common cads in such situations, seducing vulnerable young women with declarations of love and promises of marriage and then absconding "once they'd had their way."⁴⁸ It was well known, moreover, that illegitimacy rates always rose during war years, with mercenaries roaming cities and the countryside alike (see fig. 1.5).⁴⁹ Yet at least one study has found that soldiers accounted for only 2.2 percent of the impregnators of single maids and that fellow servants, as in the case of Apollonia and the Palm Cutter, were by far the likelier culprits.⁵⁰ Most sig-



Fig. 1.4. Pieter Bruegel the Younger, *Peasant Dance*, ca. 1560. A wedding feast similar to this rural peasant festival was the site where Apollonia met the journeyman Cunz. The heady combination of dancing and alcohol often led to sexual trysts, as suggested by the embracing couple in the top left corner and the woman pulling a man indoors under the pennant. Kunsthistorisches Museum, Vienna.

nificantly, the great majority of “false suitors” were from the same age and class cohorts as the women they impregnated.

Like many early modern girls, Apollonia apparently had a quite limited knowledge of sex. Since her mother is never mentioned, it is likely that she had died, leaving any instruction on the facts of life to Apollonia’s sister or female friends. Perhaps Apollonia knew how to acquire one of the many herbal potions or sprinkling powders (of varying efficacy) meant to inhibit conception. Certainly knowledge of *coitus interruptus*—sometimes referred to as “unloading before the barn”—was widespread during the sixteenth century, though many men refused to practice it. Many other contraceptive methods—including the use of sponges and tampons, douching, and condoms—were probably less known among women of Apollonia’s background.⁵¹ According to her testimony, the Palm Cutter visited and had intercourse with her about five times at her brother-in-law’s house “in bed”; another time “he tried to get her to do it in a field but she refused to have anything to do with him [there].”⁵² And while her chances of conception probably increased each time, frequent sex was and is by no means necessary to become pregnant: child murderer Agnes Lengin claimed that she only had intercourse once, while drunk.⁵³ Most likely, all of these encoun-



Fig. 1.5. Daniel Hopfer, *Soldier Embraces a Maiden* (ca. 1535). Metropolitan Museum of Art.

ters involved no protective measures whatsoever, though perhaps afterward she ingested some contraceptive herbs.

Pregnant and Petrified

Then, as now, an unmarried woman who believed that she might be pregnant had to first make the crucial decision whether to reveal her suspected state to others or even to acknowledge it herself. Here the human potential for desperate hope or self-deception could be virtually unlimited. One of the most incredible aspects of secret pregnancies that ended in infanticide was the frequent claim by the accused—usually later in criminal interrogations—that the woman didn't know she was pregnant until the moment of birth. Convicted child murderer Agnes Lengin typically claimed "she really didn't know that she was carrying a child, since the same hardly moved

within her and she wasn't being secretive when she said each time in her conversations with her mistress and other people that she wasn't carrying a child.⁵⁴ Was this a sincere conviction, a calculated lie, or some mixture of conscious and unconscious delusion? The question is complicated by the fact that plausible deniability was quite possible for early modern women, at least until the "quickenings" at 4 ½ months. Various explanations other than pregnancy, for instance, might account for missed periods. "Interrupted flow" or "clogged up blood" was sometimes considered a seasonal malady, cured with the onset of spring. Certain foods or "wild dancing" were also viewed as triggers to this condition. Many of the symptoms—swelling belly, vomiting, loss of appetite, fatigue, moodiness, swollen breasts, and whitish urine with a hint of blue—were the same as those for dropsy. Intentionally or not, many women could easily have confused the two conditions, especially given their meager understanding of the entire biological process.⁵⁵ In some instances, the herbs used to unclog a woman might have acted as abortifacients, again, with or without intention. Whether a woman could go the full term of her pregnancy unaware of the movements within her growing belly is another question, though even here the possibilities for rationalized denial are not exhausted. Elisabeth Ernst, for instance, claimed that she didn't know she'd been pregnant until she awoke one morning with a stillborn baby in her bed. The psychological nature of her denial and its relative truthfulness are of course impossible for us to ascertain.⁵⁶

Apollonia Vöglin, on the other hand, tells us of her awareness early in the first trimester and her decision to bind her stomach with a girdle to conceal the pregnancy. Much clothing of the day could help a woman keep her pregnancy secret for a long time. The Nuremberg custom of women wearing "rain cloths" (*Regenttücher*) was outlawed six times during the first forty years of the seventeenth century for this very reason (see fig. 1.6). One local wit even composed a couplet about this apparently common practice: "[A] raincloth can be used in many ways by [any] little fool / to conceal much from others in any event or rule."⁵⁷ According to the Carolina, the very influential imperial criminal codification of 1532, concealing a pregnancy in this matter was unlawful and tantamount to infanticide, but the deception was rarely if ever prosecuted as such within the empire.⁵⁸ Evidently Apollonia saw the risk of this course of action as minimal, or perhaps she convinced herself not to think about it. At the very least, this tactic would buy her some time.

Her plan, Apollonia says, was to marry Stefan and to remain quiet about the pregnancy until after the wedding.⁵⁹ Certainly she would not have stood out had this occurred. Bridal pregnancy was quite common in the early



Fig. 1.6. A Nuremberg maiden wearing a *Regentuch* (1669). Germanisches Nationalmuseum Nürnberg.

modern era, with on average one out of three marriages followed by the birth of a child in less than eight months.⁶⁰ Birth registers from Nuremberg's two main parishes suggest that formal acknowledgement of this situation (at least to a pastor) remained rare during the seventeenth century, even after 1650, when such births averaged 2–4 percent of all baptisms.⁶¹ There is no way to ascertain how many of rushed marriages actually took place among already engaged couples and how many unions were more hastily arranged between relative strangers. Apollonia's hope to pass her impregnation by Cunz off as a more acceptable "early birth" following her long engagement to Steffan was probably an infrequent solution but far from unique among women in her predicament.

Why wasn't Apollonia able to take advantage of the relatively lenient view of premarital relations by engaged couples? Most important were her father's continuing objections to the match. Although she originally

thought his permission forthcoming, it never arrived. It is hard to make out the full nature of Michl Vogler's animus from Apollonia's testimony, though their secret courtship could not have endeared the young man to him. According to her, Steffan's father, Jobst Hassl of Schmallenbach, was a reputable man, yet the young journeyman was barred from the Vogler home.⁶² Vogler's reaction to their marriage plans must have been anticipated by Apollonia and her fiancé Steffan, since they chose to exchange clandestine vows and keep quiet about them "for a long time" rather than engage in the usual semipublic contractual negotiations. Secret "corner marriages" (*Winkelhehen*) were universally condemned by secular and religious leaders alike. Sixteenth-century Protestant and Catholic reformers as diverse as Thomas More, Desiderius Erasmus, Martin Luther, and Ulrich Zwingli all harshly condemned such private and secret marriages as diabolically inspired. The otherwise permissive Rabelais actually argued for the right of a father to kill the clandestine husband of his daughter.⁶³ In this instance, only a direct intervention by the deacon of Löhrberg softened Michl Vogler's adamant resistance to the union. Even then, the couple had to wait for full paternal approval, at least another five years, at which time Apollonia turned twenty-two and could marry of her own consent.⁶⁴

The one loophole left to Apollonia and Steffan was the law recognizing a clandestine exchange of vows that at some subsequent point had been consummated as valid and binding, regardless of parental approval. In the face of her father's opposition, this legal tactic would seem to offer Apollonia a ready escape from her impending dishonor, yet she did not make use of it. Probably she simply was not aware of the law itself. A much more likely obstacle, and possibly the crucial one, was that she feared rejection by Steffan, who would know the child was not his, since according to her testimony, no man but her erstwhile lover the Palm Cutter "had ever touched her." To his credit, Steffan feared neither disinheritance nor public dishonor when he asked Apollonia to move in with him without her father's blessing or a public wedding. But that was before she became pregnant by another man. Risking the open ridicule of the label of cuckold was probably another matter. Perhaps she did tell him of her situation and he did reject her. A final and undoubtedly powerful reason for Apollonia's silence and rejection of a strictly legal solution was that by her own testimony she craved the communal and familial approval signified by the church ceremony and public feast that in most people's eyes "completed" the marriage. Put another way, she dreaded being discovered by an already recalcitrant father (who could legally disinherit her) and stigmatized as "a shameful whore" by her neighbors. A pregnancy that jeopardized both her reputation and Steffan's affec-

tions had to be hidden and ultimately dealt with in some way that preserved her honor and good name.

As time passed and no paternal approval or wedding with Steffan materialized, Apollonia's options for an honorable solution rapidly shrank. Obviously she could no longer pass off her child as Steffan's, at least to him. She still preserved the right to sue the Palm Cutter for marriage or at least support yet neither result was either fully practical or desirable. Most dauntingly, she faced a mighty struggle in attempting to enforce any of Cunz's casual promises of marriage, officially known as "frivolous vows." Like clandestine vows, frivolous marriage vows were universally condemned by all authorities of the day. In most people's eyes these promises were still worse, since the "suitor" apparently never had any real intention of marriage. Yet judging by the frequency of this pattern among convicted fornicators and child murderers—not to mention plaintiffs in marriage courts—such promises commonly, almost universally, preceded the initial sexual encounter.⁶⁵ Clearly Apollonia had her doubts about the sincerity of the Palm Cutter's proposal and she admitted that even though she knew "he was already half-engaged" (a fascinating obfuscation), she allowed his protestations of love and devotion to cloud her judgment. Similar vows from traveling journeymen or soldiers must have also been doubted by other women who eventually succumbed to "sweet words," yet a promise of marriage apparently provided the security they needed in case of pregnancy. One might even describe the encounter as a transaction (albeit one with unequal risk), whereby virginity is traded for marriage.⁶⁶ Marriage judges throughout Germany fumed about such vows exchanged "in heated and rash desire or with words of jesting or cursing" (such as eating a sausage "in the name of love") but remained powerless to prevent them.⁶⁷

In the instance of the Palm Cutter, the greatest apparent impediment to establishing a binding marriage was his (as well as Apollonia's) preexisting engagement at the time of their first encounter, not to mention his subsequent marriage to someone else. Yet neither of these obstacles was insurmountable. In fact, this course of action (ironically) might have been Apollonia's best bet for a legitimate marriage and child. In Nuremberg the lawsuit would have come before its marriage court, established during the wake of the Reformation to handle cases previously referred to a diocesan court.⁶⁸ If Apollonia's father had chosen to pursue the matter (and here too was a problem from her point of view), her claim would be based on the still-honored canonical dictum that consummated marriage vows of any nature trumped previous, unconsummated vows.⁶⁹ If the Palm Cutter chose to contest both the vows and paternity, his strategy would probably focus

on the wording of the vows or their very existence. Obviously corroborating witnesses could be helpful for either side but given the very nature of clandestine vows, these were often hard to come by. Such exchanges could take place in settings such as a crowded inn or an isolated forest, they could be formulated as simply as “Let us marry” or as vaguely as “I am yours,” and consequently the disputes could drag on for months or even years. If Apollonia had been both literate and farsighted, she might be able to produce love letters or other written evidence; otherwise the case often came down to a contest of his word versus hers.⁷⁰

Lawsuits concerning impregnation, with or without vows, were by contrast more straightforward. Given the fact that someone had impregnated the plaintiff, a defendant had to rely on proving either that he was elsewhere at the crucial time or that the plaintiff had “carnally mixed” with more than one man. One strategy related to this was to suggest that the woman had knowledge of contraception, thereby establishing a reputation for promiscuity. Another was that “he didn’t go all the way with her, he only tried her”—a claim impervious to any forensic examination. Judges naturally viewed such defenses skeptically, placing more value on their own meticulous examination and interpretation of a single key piece of testimony or evidence, such as the actual words exchanged or symbolic items given (such as a ring or a coin).⁷¹ Initially this highly subjective process of “he said, she said” had proven beneficial to female plaintiffs, who initiated at least two-thirds of marriage suits in both Protestant and Catholic courts, yielding an overall fifty-fifty chance of success. By the second half of the sixteenth century, however, when all women’s reputations were increasingly suspect, the likelihood of winning had dropped to as low as one in ten in most places.⁷² Visible pregnancy certainly helped—in seventeenth-century Schwäbisch Hall one-quarter of fornication cases ended in voluntary marriage and another one-quarter in court-forced marriage⁷³—but this still meant that at least half of the “girls in trouble” involved could not find husbands and law courts were unlikely to assist them.

On the surface, Apollonia had little to lose in a marriage suit, apparently risking only personal embarrassment and court costs. If a woman was found to have falsely accused a man, he was entitled to claim injuries, while she would receive some sort of corporal punishment—as she would have anyway in the case of fornication. When Conrad Amshler’s daughter claimed in 1645 that the servant Hans Georg Fuchs had impregnated her, the accused was immediately arrested and imprisoned. Upon discovering that Amshler had no more proof other than his daughter’s word, however, the town coun-

cil ordered Fuchs released and Amshler fined.⁷⁴ If, on the other hand, the marriage suit was successful, the man would be immediately escorted from the courtroom to the church, where he would be met by a deacon ready to say “I do” for him if necessary.⁷⁵ According to the 1564 *Reformatio*, the constitutional law of Nuremberg until the late nineteenth century, if the woman was pregnant the two had to marry each other whether they wanted to or not. More than one Nuremberg impregnator claimed that he preferred to sit in irons rather than marry, only to capitulate within a few days. The “shot-gun” wedding (*Zwangstrauung*) was not a universal practice throughout the empire, however, at least not officially. The Elector of the Palatinate’s 1563 marriage court ordinance stressed that the impregnator of a young maiden should be urged to marry her out of “Christian love and honor,” but he was not to be compelled by any “worldly or physical force.”⁷⁶ Yet the bias toward marriage was so strong in Nuremberg that two seventeenth-century decrees proclaimed that “even in the case of unclean wenches, the law nowhere forbids the forced marriage of a maiden.”⁷⁷

Why did Apollonia not take the Palm Cutter to court? True, he was by that time already married, but the consummated marriage vows she exchanged with him—if proven—would have annulled his current marriage. Quite probably she knew nothing of such legal matters and thought him unobtainable. In any event, as she made clear in her subsequent testimony, she wanted Steffan, not Cunz. This train of thought, combined with her dread of her father and of public scandal, also accounts for her unwillingness to pursue a less drastic kind of legal action, namely, a paternity suit for child support (*alimentatio*). If a man admitted paternity or had it forensically established and was already married or otherwise ineligible, he could at least be required to pay the costs of the birth and child support until the woman married or the child came of age (usually twelve). Usually a claim of this nature had to be filed within the first six months of pregnancy but in Nuremberg the suit could even be initiated after the child’s birth—evidence of the strong magisterial interest in assigning paternal responsibility.⁷⁸ When Kunigunda Lessnerin set her illegitimate baby before the door of innkeeper Melchior Peldes, she immediately received the kind of attention she sought: a case before the marriage court, a dragnet for the absconded Hans Peldes (alleged father of her child), and imprisonment of Hans’s father, Melchior, until he or his son made restitution.⁷⁹ Not surprisingly, Nuremberg’s marriage and civic courts settled thousands of paternity suits during the course of the sixteenth and seventeenth centuries.⁸⁰

Even this course of action carried risks though. Like frivolous marriage

vows themselves, decrees of *alimentatio* were nearly impossible to enforce among traveling journeymen and soldiers—who generally could not be sued for child support in civic courts—as well as among other migrants.⁸¹ Leinhard Feld succeeded in his marriage suit against Kilian Pfiz, whom he accused of deflowering and impregnating his daughter, but the culprit could not be found, forcing him to sue Kilian's father in civic court for damages.⁸² Often it could be difficult to get even resident men to accept such a decree. A maid from the village of Schnabelveid was told by her accused impregnator that she was a "great slut" and that he would hunt her down after the birth; according to her, "he violently had his way with her and afterward forgot all about her child."⁸³ Apollonia might have risked the scandal of publicly acknowledging her pregnancy and still ended up without any financial support whatsoever, including from her outraged father.

Once exposed, an unwed mother-to-be faced intense pressure from family and government officials alike to name a father. Secular authorities at all levels had a practical as well as moral interest in achieving this result, since unmarried women and their children would inevitably turn up on their alms lists. In Nuremberg and elsewhere throughout early modern Europe, local officials always attempted to ascertain the name and location of the men who fathered illegitimate children so that the culprits could assume their financial and moral responsibility.⁸⁴ In instances of uncooperative mothers, Nuremberg's midwives were instructed to wait until the peak of the labor pain to demand the name of the baby's father.⁸⁵ In the harsher seventeenth century, the same unwed new mothers were sometimes ordered brought to the council in chains for interrogation and again questioned about their sexual partners, even if the child had died.⁸⁶

Understandably, many young women in this situation yielded to combined familial and communal pressure and did indeed name a father. If a woman had had more than one sexual partner within the previous nine months, she might be genuinely confused yet rather than admit this and be thought of as a slut, she could simply name the man best suited to provide for her and her child. Others, occasionally with malice or greed aforethought, intentionally picked men they knew weren't even possibly the father yet who had deep pockets. An old German song mocks the practice:

[U]nmarried I bring before you seven children.
I did not give the right father for a single one,
only whichever has the most,
in front of his door I toss [the child],
where the people go to and fro.⁸⁷

Even among those pregnant maids who apparently named the true father, the information they provided remained spotty and made the authorities' task more difficult. Out of loyalty or genuine ignorance, a mother-to-be might identify the father in vague terms, such as "a cartman named Hans of whom by her testimony she can say no more" or "a baker's apprentice named Panle Schmauss" who lived "not far from Pforcheim in a hamlet that she can't name."⁸⁸

Whatever her odds in court, a pregnant single woman such as Apollonia Vöglin risked her single greatest asset in acknowledging her condition: her reputation. Unless she was successful in her marriage lawsuit, her chances of finding a husband declined dramatically. Probably unemployed, saddled with an infant, and socially ostracized, a single mother might still succeed in attracting a mate if she had something to offer as a dowry. In the vast majority of cases, however, such women were disinherited (as Apollonia feared she would be) and because of their dishonorable status often remained ineligible for any public assistance in securing a dowry.⁸⁹ A woman who was brave and fortunate enough to secure some child support would lose this meager income if she married. A man who married an unwed mother also risked bringing shame and disrepute on himself, since, according to one seventeenth-century pamphleteer, the only men who would marry such "man-desperate" women could not be worth much themselves.⁹⁰

Publicly acknowledging a "bastard" birth had many other costs as well—harsh social consequences that became even harsher over the course of the seventeenth century. First there was the religious stigma, whereby Apollonia would have been required to register her illegitimate baby and have it baptized, but would be prohibited from doing so in a church. Women who attempted to circumvent this rule and have their children baptized elsewhere or not at all were routinely arrested and forced to comply. In some places, the names of illegitimate children were entered upside down in the parish's baptismal records.⁹¹ Nuremberg parish registers were even more explicit, specifying out-of-wedlock children (*spurii*), babies born too soon after a wedding (*Frühlingskinder*), and children born too late after a husband's death (*posthumi*). Overall, 3568 such children, two-thirds of them *spurii*, made it into the official record during the seventeenth century, giving the city of Nuremberg an official illegitimacy rate of 3 percent.⁹² Still other parishes simply noted "soldier's whore" for the mother. In every instance, the mother's shameful status as well as that of her child—henceforth legally classified as a "whore's child" (*Hurenkind*)—was now part of the official records.⁹³

This ordeal was typically accompanied by a series of criminal punish-

ments and public humiliations for fornication. By the late sixteenth century, unmarried mothers in Nuremberg were regularly sent to prison in chains immediately after delivery, where they might stay for up to three weeks on bread and water.⁹⁴ Citizens might be spared the chains and women not yet delivered might be allowed to stay in the hospital until the birth, but ultimate punishment for both was the same as for most single mothers in Nuremberg, even if considered deranged: banishment for life with their offspring.⁹⁵ This treatment was admittedly milder than the death penalty officially prescribed for adultery and some other sexual offenses in Nuremberg, though this was rarely enforced, except in cases of incest. As in adultery (and most things for that matter), there was a double standard for men and women convicted of fornication, with married and sometimes single men punished only with a fine and/or public penance. Women in Apollonia's predicament, by contrast, regularly faced various forms of public humiliation, from being forced to wear distinctive clothing (such as red boots or a red hat), to public penance in the church, to being scourged in front of the town hall and chained to one of the stocks there for a brief period of public ridicule—before being banished with her child (see fig. 1.7).⁹⁶ Here too maids were overrepresented, in one sample accounting for only one-fourth of women convicted of fornication, but two-thirds of the women flogged and banished for the same offense. Apparently legal repercussions would have been somewhat lighter in a rural village such as Immeldorf, where labor was in demand, but the ecclesiastical sanctions and social ostracism of a small community more than compensated in severity.⁹⁷

Finally, there were the economic costs of an illegitimate birth. If detected, an out-of-wedlock pregnancy usually spelled immediate dismissal for a maid. The effects of such a blow could be catastrophic. Apollonia might have found temporary employment as a wet nurse, ironically providing a much needed service for "moral" women and their legitimate offspring.⁹⁸ Day labor in the fields would have also been a possibility, although most of her pregnancy took place during the winter season. Once her child was born, though, she would have been virtually unemployable, particularly if the child's illegitimate status became known. Apollonia would have then belonged to a category of the dishonored that included prostitutes, "soldiers' whores," and other "loose" women, many of them victims of rape and incest. As always for single women, issues of reputation and economic solvency were so closely interwoven as to be indistinguishable from one another. Passing herself off in another town or village as a widow might have removed the stigma, but her earning and marriage prospects would have remained dim.



Fig. 1.7. Daniel Chodowiecki, *Flogging of Women* (1782). An impassioned dramatization of young women flogged for fornication. (ca. 1750) SLUB Dresden/Deutsche Fotothek/Hans Loos.

Child support and poor-relief payments were also invariably meager—if they came at all. Single mothers in Nuremberg received just enough to buy two loaves of bread per week with nothing remaining for other food, drink, clothing, or housing.⁹⁹ In eighteenth-century England and Sweden, poor relief was equivalent to 6–26 percent of the salary of an unskilled laborer and in some parts of Germany unmarried mothers were denied support altogether.¹⁰⁰ Of course none of this scenario takes into consideration the near impossibility of finding any child care, unless such a dishonored woman



Fig. 1.8. Lucas Kilian, *A Soldier's Whore* (1609). Kunstbibliothek, Staatliche Museen zu Berlin; Art Resource NY.

was allowed to stay with relatives. Many women in this situation became vagrants, living by begging, or entered into a criminal life of prostitution and/or theft. Some committed suicide. One “very beautiful maiden” of Nuremberg who sought to marry the man who had impregnated her was so distraught over her father’s refusal of permission that she drowned herself in the Pegnitz.¹⁰¹

Secret Pregnancy and Its Options

It should come as no surprise that the known illegitimacy rate plummeted throughout Europe during the harsher moral climate of the late sixteenth century onward. Reported illegitimate births in Nuremberg dropped from perhaps 10 percent during first half of the sixteenth century to 1–2 percent

between 1600 and 1650.¹⁰² Did this dramatic decrease in illegitimate births also mean a real increase in the number of secret pregnancies and related solutions, including quick marriages, abortions, abandonments, and infanticides? Obviously there is no way to measure this with any precision but the short answer is yes, perhaps significantly so. However much the actual number of illegitimate births declined during the late sixteenth and early seventeenth century, the number of secret pregnancies such as Apollonia's almost certainly increased. Despite the danger of criminal prosecution, pregnant single women who could not quickly marry had many good reasons to risk keeping their condition hidden. Most prominently, the chances that the pregnancy might naturally or artificially end in miscarriage were relatively high. Natural miscarriage ended perhaps as many as one in eight pregnancies and stillbirths made up another 2–4 percent of all births.¹⁰³

Among women like Apollonia who kept their pregnancy secret, abortion was probably a frequent choice but again it is hard to be more specific based on the legal evidence. Certainly women in Apollonia's predicament risked little chance of prosecution for the offense before the eighteenth century.¹⁰⁴ Had Apollonia wished to abort, she probably stood a greater chance of being arrested in Nuremberg's jurisdiction than anywhere in the empire, yet even here detection and punishment remained rare. The great majority of those sixteen women tried in the city for attempted abortion between 1552 and 1792 were already condemned as child murderers and only two women during the entire 240-year period were actually convicted of a successful abortion.¹⁰⁵ To a large degree, this reluctance to prosecute stems from the limitations of early modern medical and other forensic evidence. Well into the nineteenth century, physicians were unable to distinguish between a naturally occurring and an induced abortion. In fact, all claims of pregnancy by condemned prisoners required multiple inconclusive examinations by midwives.¹⁰⁶ There was also much dispute among physicians and jurists about when a fetus became a person, with the "quickening" at about four and one-half months most generally accepted as the threshold.¹⁰⁷

Just because abortion was difficult to detect doesn't mean it was common. Still, there are several grounds for suspecting that the "dark number" of actual abortions was indeed much higher than indicated by the tiny number of criminal prosecutions during the early modern era. First, there were the perceptions of contemporaries throughout Europe who considered the practice "epidemic" and far more common than the more often prosecuted crime of infanticide.¹⁰⁸ It is impossible to say how many of the high number of recognized miscarriages and stillbirths, together accounting for one in seven pregnancies, were spontaneous and how many were purposely

induced. Still another final reason for supposing that abortion was drastically underreported in early modern Europe is the apparently widespread availability of abortifacients. For a long time, conventional historical wisdom held that almost all premodern abortifacients and potions were superstitious and ineffectual. Even those few that might have worked, moreover, were supposedly limited to the margins of society, that is, prostitutes and soldiers' whores. Recent studies, however, suggest quite a different picture, with functional purging remedies much more extensively known and available in early modern times than previously assumed.¹⁰⁹ One of these in particular, savin (*Segelbaum*; *Sadebaum*), was widely reputed to be a "shameful herb," popularly known as "child killer," "maids' tree," and "maidens' palm." It was by far the most frequently mentioned abortifacient in abortion and infanticide cases in Nuremberg. Other herbs—meadow rue, tansy, silk, and birthwood—required a certain degree of expertise to identify and obtain.¹¹⁰ Many plants, such as sennet, grew wild in cemeteries, forests, and fields; others were carefully cultivated in private gardens. In all, over one hundred different means to induce abortion were known by the sixteenth century, in many instances as a result of Renaissance rediscovery of ancient practices.¹¹¹ Some of these methods were readily available to those able to read published Latin and German medical treatises, such as those found in Eucharius Rösslin (1470–1526), Otto Brunfels (1489–1534), and Hieronymus Bock (1498–1554). Each work listed about thirty abortifacients but warned that these should only be used to expel an already dead fetus, and then always under the supervision of a physician or midwife.¹¹²

Young women like Apollonia Vöglin might not have had direct access to any of these herbs, but they most likely knew of someone who did. If she had the money and the resolve, a pregnant single woman might "cure" her condition in a number of ways. A recent study of abortion in southwestern Germany during this era found that the majority of women consulted in such predicaments were described as "mothers" (often really "wise" or "cunning" women) or "healers," the term also frequently applied to the men approached—a broad category that included quacks, shepherds, root diggers, executioners, and cowherders. Only a little more than one in four women seeking an abortion consulted a professional physician or pharmacist.¹¹³ This is understandable given that officially approved healers risked losing their licenses and thus usually refused to sell any potential abortifacients to an unmarried woman. After child murderer Anna Seyfridtin's confession, the council ordered the arrest of the pharmacist who sold her savin as well as the three women who told her about it in the first place.¹¹⁴ Of course family members (especially mothers) or boyfriends might play an intermediary

role but this too was somewhat hazardous (and apparently not an option in Apollonia's case). Steffan Reutter not only told his pregnant girlfriend how to abort but actually went and procured some savin for her, an intervention for which he was "out of mercy" flogged rather than banished.¹¹⁵

Other anecdotal evidence from Nuremberg follows the same general pattern, especially on the key role of oral traditions and older women in procuring the necessary herb. What Apollonia Vöglin's contemporaries knew as "women's secrets" (*Frauengeheimnisse; secreta mulierum*) has been described by modern historians as a "female sex culture," wherein popular knowledge about pregnancy and birth was conveyed almost exclusively from woman (or women) to woman.¹¹⁶ Here again, Apollonia Vöglin was at a considerable disadvantage if her mother was indeed deceased and her sister considered untrustworthy. (Certainly she couldn't turn to her fiancé or her father on such matters.) In the 1606 case of Maria Ebnerin, both the girl's mother and a local cunning woman were convicted of helping her to obtain "highly prohibited means for procuring an abortion," namely, "saffron oil and herbs," in exchange for "two ducats and a small polished white stone for a ring." Interestingly (and typically), the two older women were dismissed after stern lectures while the unmarried young mother and her illegitimate child were banished for life.¹¹⁷ Another maid, Anna Schusterin, accused of drinking savin mixed in water, admitted that she had learned the potion from an itinerant female grocer but denied taking more than a sip "because it was such a bitter herb and miserable drink . . . and what little she tried she had to throw up."¹¹⁸

The bitter taste or other physical discomforts of an attempted abortion were minor considerations compared to the high risk of fatality to the mother. No doubt this was one of the reasons many pregnant maids relied on magical escapes from their predicaments. In addition to being painless, such solutions, like love magic, had the advantage of being secret—depending on the discretion of the magic worker. When Walburg Knechtlin got pregnant in the winter of 1608, she turned to her fellow maid Anna Maria Kreppin, who "tried to abort the fetus through magic learned from the [wise-woman] Agnes Klaiberin." Together, Kreppin and Klaiberin "not only aided and abetted but also wrapped the veil around the same [Walburg] with their own hands and said an incantation that the fetus should come from her."¹¹⁹ Magical treatments such as eating the rind of a mandrake or binding a "blood stone" (*Blutstein*) to the thigh of the pregnant woman or wearing a girdle made of snakeskin were also described in medical treatises. In one case we hear of a man offering a pregnant woman an unspecified herb that if "she hangs over her naval, then nothing will come of the matter."¹²⁰ When

neither herbal nor magical remedies worked, distressed pregnant women might try more direct (and dangerous) means, such as a large dose of alcohol or the rusty handle of a kitchen ladle. Anna Gräfin attempted to kill her fetus by “throwing herself [powerfully] over the bucket in which the cow’s feed was made [so] that the child was thereby damaged and weakened but it [still] wasn’t sticking out completely,” leading her to force the fetus out and throw it on the floor, where it died.¹²¹ A truly desperate woman, such as Kunigundt Dietmännin, might try all of the above—herbs, spells, slamming her stomach against a wall, carrying wood, laundering, and other chores—and thereby produce a premature, deformed, stillborn child, only to be discovered by authorities and banished for life after a thorough flogging.¹²²

Employers’ reactions to an illicit pregnancy could vary widely. When Margaretha Markhardtin’s employers discovered her secret pregnancy, for example, she was fired immediately—the most typical course of events—but less on moral grounds than that they didn’t want to have to support her and her child.¹²³ In other instances, women in the same condition were sheltered by relatives and employers—at great legal risk to themselves if discovered. It appears unlikely that Apollonia confided in her sister or brother-in-law and in fact she pointedly mentions denying the pregnancy to them. Dorothea Geyerin’s employers had to take an oath that they knew nothing about her illicit pregnancy and even then were ultimately banished for not watching their maid “so that they might have intervened to [prevent] the infanticide.”¹²⁴ Secret pregnancies could also pit members of the household against one another. In the case of accused child murderer Barbra Beerin, the family maid apparently unveiled a domestic conspiracy when she testified that the suspected Barbra and her mother “left the house last Monday night at 1:00 A.M. and didn’t return until 6:00 A.M., [having] been at the tobacco maker Catharina Legatin’s, and afterward talked very softly and secretly to one another”; later that day Barbra was inexplicably ill. Two weeks later the entire family was ordered arrested but all, including Barbra, were ultimately released on the lack of more than circumstantial evidence.¹²⁵ When Anna Emblin’s lady employer noticed the maid’s pregnancy she gave her a leave of absence but forced Anna to search for other lodging until she ended up with a woman “who puts up such people.”¹²⁶

This intriguing reference suggests an informal network of houses for unwed mothers in addition to immediate family members and out-of-town kin.¹²⁷ Known in England as “harbourers,” those who ran such safehouses saw a young woman “in trouble” through the pregnancy and presumably helped with placement or public abandonment of the child.¹²⁸ Due to their shadowy nature, we know very little about such informal arrangements, in-

cluding what must have been the common practice of giving an illegitimate child to a married relative or other willing foster parent to raise as his or her own. The maid Barbra Malerin denied an illicit pregnancy and even any fornication but after being threatened with torture she acknowledged not only her current condition but also a previous pregnancy, in both instances fathered by her employer Wolf Öttinger. After she got pregnant during her first year of work for him, "he put her on a cart to Hochstätt, giving her 6 fl., but instead of going there she went to a woman she knew in Bruck [who] met her and took her home." Like many other women in her situation, Barbra was thus able to avoid the stigma of illegitimacy by relocating among strangers and having the child baptized as the legitimate son of Öttinger. She still would have had the problem of support for the child but since it died after two weeks she was instead able to return to service at Öttinger's house, whereupon she again became pregnant, this time she was discovered and banished.¹²⁹

Apollonia's options were more limited. Given her apparent inability to confide even in the sister with whom she lived, it is unlikely that she could have approached another relative for help, especially given her distance from home. Perhaps such a solution never occurred to her. Yet without such help, she had no place to go for her confinement and nobody to turn to with her illegitimate baby. Nor did the government or church offer any alternatives, at least until after the child was born. Despite several homes for reformed prostitutes (as Nuremberg maintained in its two former convents), formal institutions for unwed mothers were uncommon in Europe until the late eighteenth century.¹³⁰

The one major complication in this respect was the involvement—if any—of a midwife—a more likely occurrence had Appolonia lived in a large, anonymous city instead of a tiny hamlet. Nuremberg's midwives were famed throughout the empire for their skill as well as their highly efficient organization and operation. They trained for four years (later five) under the four overseeing "honorable women," and each delivered from 55 to 300 babies during a year. They were among the very few individuals allowed to pass through the city's gates at night, and their expert testimony was key in all abortion and infanticide cases. Despite this privileged position, town councilors had a deep and perhaps not unfounded suspicion of some midwives' complicity in abortions and secret births and thus required these 25–50 women to report all illegitimate pregnancies and births or face severe punishment themselves.¹³¹ In addition, "three or four unsuspecting women" were required at the burial of any dead illegitimate baby. Like laws against abortion and artificially induced labor, though, this ordinance proved ex-

tremely difficult to enforce. Some midwives did indeed become informers on their fellow women but at least a few remained complicit in an unknowable number of abortions and secret births.¹³² Upon the interrogation of midwife Barbara Dallerin (aka “Barbie”), who was accused of helping Paulus Blümmer poison his wife, it was discovered that she was well known for supplying “poison or muck” to girls in trouble.¹³³

Unmarried women like Apollonia who couldn’t trust a midwife or anyone else gave birth alone. Just about any place could serve as a location for a secret birth. Naturally an out-of-town pregnancy and birth—at a relative’s house or a safehouse for unwed mothers—was the safest, although even then the hint of scandal might arise. For those young women with fewer resources or foresight, though, the location might be improvised nearby. Already expelled from her employer’s house, Anna Kießlingen was forced to give birth at a nearby shepherd’s shack in suburban Gostenhof. Margaretha Marckhardtin gave birth in 1607 on “a big blanket in a field by the Pegnitz” (into which she immediately threw her unwanted baby). In 1604 Ursula Mauerin walked into Saint Sebaldus Church at night and gave birth under the pulpit, where she left the baby to be found at the next service.¹³⁴ Other places frequently mentioned in infanticide cases include barns, privies, alleyways, and in the woods.

The riskiest yet still common location was the maid’s own bedroom (when she had one), sometimes when other members of the household were at home. In her interrogation Apollonia described the lonely scene of her labor and infanticide in almost biblical terms:

. . . how she lay in her bed and had already fallen asleep when around midnight she felt the pain [of labor], and almost at the hour of Christ [’s birth], gave birth to the child in great pain. And [then] the afterbirth came from her and afterward she stood up and lit a pinewood torch from the oven [and] with the same burning torch went [back] to the bedroom to where the child lay and moved its arm and little leg while crying.¹³⁵

Often the child did not survive birth under these circumstances and in some cases the mother died as well.

If the child lived, as in Apollonia’s case, the new mother could follow one of three courses of action. Keeping the illegitimate child was not an option for Apollonia, as seen in her reasons for keeping the pregnancy secret in the first place. The second choice was to give the child away—either to place it with relatives, neighbors, friends—or to abandon it anonymously. Apollonia didn’t have or didn’t believe she had anyone she could turn to,

but she might have simply done what many other young women did in her predicament and left the baby in front of the Findel or on a doorstep. Why did she not do so? For one thing, she was not at the time in a large, anonymous city, like Nuremberg, but rather in a small village where everyone knew her. The slightest possibility of being seen with a crying infant would have probably struck her as an unacceptable risk, particularly given her intense fear of exposure up to that point. Another factor would have been the lack of a common site of abandonment, such as the Findel or Heilig-Geist Hospital in Nuremberg, and accordingly the greater danger of detection in a village with few public spots. Both of these factors help account for the high percentage of convicted child murderers who came from the countryside.

In the city, by contrast, anonymous abandonment, particularly of newborns in front of the Findel, was a more common choice for unmarried mothers during the sixteenth and seventeenth centuries. There is no way to effectively measure the incidence of abortion and informal child circulation, but as figure 1.9 illustrates, at least anonymous abandonment and illegitimacy seem to have been inversely related during this period (though it should be noted that the number of such abandonments in Nuremberg remained much lower than the number of illegitimate births in question). We will see later that the infanticide rate has a more ambiguous relationship to the illegitimacy rate. In Nuremberg, 599 children were anonymously abandoned between 1557 and 1670, an average of 5.3 per year. While not all of these children came from unwed mothers, it is likely that the great majority of those under six months old did, accounting for about a third of total anonymous abandonments, or about 1.6 per year.¹³⁶ This is a strikingly low figure for a city of 40,000, particularly given that in Nuremberg, as in most German cities, the punishment for abandonment was no worse than for fornication itself—namely, flogging and lifelong banishment.¹³⁷ In 1692 this penalty was reduced to flogging, time in the stocks, and a two-year banishment. Only one abandoning woman was ever executed in Nuremberg and that was principally because she had had sex with a father and his son (considered incest).¹³⁸

Apollonia would have thus risked no more in anonymous abandonment than she would have by publicly acknowledging the illicit birth. If she had the help of a friend or relative, the danger of detection would decrease significantly, though this choice would also put her accomplice at greater risk.¹³⁹ Informal circulation of this kind appears to have been more successful than not, and Apollonia could have even selected a childless household that she believed would welcome a child of their own. Instead she made a fateful and unalterable choice that put her own life in serious jeopardy.



Fig. 1.9. Abandonment and illegitimate birth rate in Nuremberg, 1610–69 (five-year totals; total births $n = 79,697$). Sources: FKD; Rüger, *Die Kinderfürsorge*, appendix 1.

The Ultimate Act of Desperation and Despair

Perhaps anonymous abandonment never occurred to Apollonia in her frantic emotional state. Perhaps, out of desperation or by accident, she killed the baby before this option could be considered. In any event, her ultimate action was not unique: according to the statutes and mandates from the sixteenth century on, in fact, infanticide had become “almost common” in rural villages such as her own.¹⁴⁰ Certainly the offense was more frequently prosecuted than previously. In German states, the immediate legal trigger of more active prosecution and punishment of infanticide was the gradual promulgation of Emperor Charles V’s comprehensive criminal code of 1532, the Carolina.¹⁴¹ The new law’s social impact in Nuremberg was dramatic, with the number of women prosecuted for infanticide almost quadrupling, from ten during the fifty years before 1549 (0.20 annually) to thirty-nine during the subsequent fifty years (0.72 annually) and twenty-four during the first quarter of the seventeenth century (0.89 annually). The number of executions during the same periods increased by an even greater factor, from about one every twelve years before the subsequent 1548 imperial ordinance to one every other year afterward (see appendix 2).

As with abortion, there are many reasons to suspect that the dark number of infanticides was still higher, though it hardly indicated a widespread phenomenon.¹⁴² The magisterial perception—“that evils of this sort are more

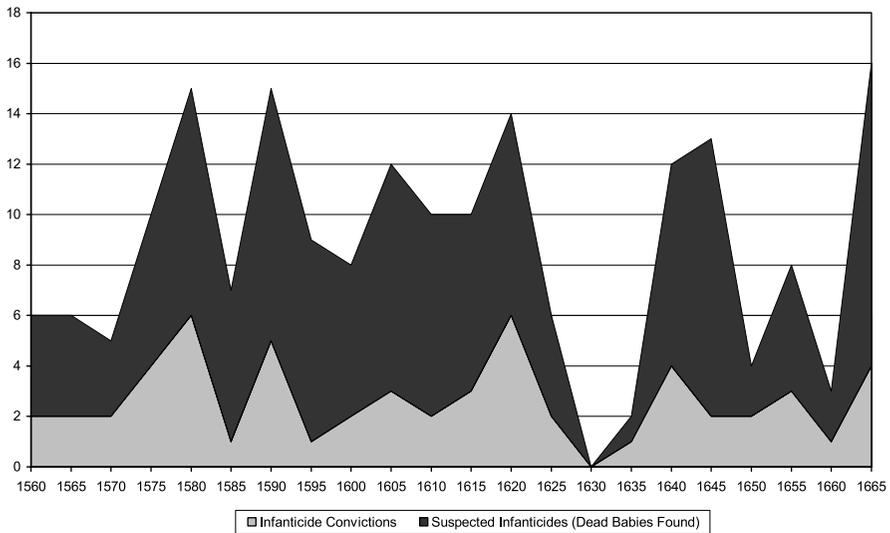


Fig. 1.10. Suspected infanticides and infanticide convictions in Nuremberg's territory, 1560–69 (five-year totals; $n = 191$). *Source*: appendix 2.

commonly encountered among peasants in the countryside”—was repeated enough elsewhere in Europe to suggest some basis in reality.¹⁴³ Nuremberg's rulers were also probably right to assume complicity of midwives in some cases of infanticide within the city itself. Some of the women convicted for infanticide admitted to having killed one or more children after previous births—another indicator of a greater dark number than even the number of newborn corpses would suggest.¹⁴⁴ Finally, the marked weakness of early modern law enforcement meant that in most instances only truly distraught or particularly inept perpetrators even stood a chance of being arrested. A relatively cool culprit would have had several opportunities to dispose of a corpse in secret and only bad luck (the occasional witness) or a guilty conscience (and self-incriminating statements) would give her away. Fewer than half of all known infanticides in Nuremberg between 1549 and 1675 even produced a suspect (see fig. 1.10).¹⁴⁵

At the same time, magisterial concern about infanticide from the mid-sixteenth century on coincided with a more general anxiety about female sexuality and motherhood in general, similarly manifested in many contemporary witchcraft prosecutions.¹⁴⁶ In both instances, religious and legal reforms gave new impetus to old fears, not necessarily indicative of any correlating behavior (especially in the instance of alleged satanic pacts and cults). Official pronouncements on the frequency of infanticide should

therefore be approached with some caution. Even if the actual infanticide rate were ten times the number of dead babies found, a very high estimate, it would still constitute less than 0.2 percent of all annual births in Nuremberg's territory. In that sense, it remained the rarest choice of women in Apollonia's predicament.¹⁴⁷

In many ways, Apollonia Vöglin was typical of the early modern child murderer, particularly among neonaticides. She was young (approximately eighteen or nineteen), single, and female. Of the 116 individuals convicted of infanticide in Nuremberg between 1503 and 1743, only six were recorded as married or widowed women and one a man (see app. 2).¹⁴⁸ Other German cities and territories displayed the same pattern of single women, as well as the high preponderance of child murderers in their twenties—three out of four—with an average age of about twenty-four.¹⁴⁹ Also, though tried in Nuremberg, Apollonia came from a rural village, as did more than three-quarters of the same group of child murderers, rather than from the imperial city or its suburbs.¹⁵⁰ Illicit pregnancies were doubtless easier to conceal in the anonymity of a large city, thereby accounting for both the relatively greater social anxiety in village settings as well as the greater likelihood of suspicion and conviction. Finally, Apollonia became pregnant while serving as a maid, another extremely common characteristic.

It is important to note, however, that while most maids were far from financially secure or independent, they were not all from poor backgrounds. Apollonia herself came from a moderately propertied farming family, including a brother-in-law with three or more servants, and thus also had potential inheritance questions to consider in deciding what to do about her unwanted pregnancy.

One of the hardest facts to ascertain is the degree of premeditation involved in Apollonia's actions. In their interrogations, magistrates generally assumed that accused child murderers had long planned the evil deed, especially when the birth occurred in secret. Often the suspects' testimonies suggest a more spontaneous act, if not an accident or even natural death. Though pressed to admit such premeditation—"she [should admit that she] lied about the pregnancy for no other reason or grounds than that she intended all along to secretly give birth to her child and afterward kill it"—Apollonia continues to insist that the idea first popped into her head after the unexpected birth in the middle of the night. Again, the deep denial of the pregnancy itself figures prominently. Like many women in her situation, she ultimately attributes the thought to "the evil spirit," who tells her to "squeeze, squeeze" the silent child's throat until "its arms and little legs" stop moving.¹⁵¹ Another young woman claimed that "a black cat jumped on

her near a mountain and inspired her to do it."¹⁵² Despite frequent references to the devil, though, accused child murderers were rarely accused of witchcraft, perhaps a reflection of maids' low visibility and relative lack of potential accusers.¹⁵³ In fact, it was the child-murdering maid's typical social isolation that helped create her quandary in the first place. Far from home, sexually involved with a man she probably knew very little about and who, in any event, had likely absconded, she literally had no one to turn to in her crisis.

Surprisingly, very few articulated what all contemporary jurists and reformers assumed was the most common motive, namely, shame and loss of personal reputation. Agnes Lengin feared more violent repercussions from her father and thus killed the child "because it would be a great burden and regret to her."¹⁵⁴ Both of these concerns were clearly shared by Apollonia Vöglin as well, as was fear of public punishment, though she does not use them as justifications. Perhaps the most common explanation was that the murder was an accident, neither planned nor intended by the perpetrator.¹⁵⁵ The common inarticulateness on the question of motive suggests an obvious confusion within the perpetrator herself, hence the frequent reliance on unexplained "bad thoughts" that must have come from "the evil enemy."

In the absence of fully reliable self-knowledge, the method of killing can also reveal much about the relative spontaneity of the deed. Obviously those women who admitted previously attempting to abort the child had to confess to some degree of premeditation. It was unusual, however, that someone displayed the foresight of Anna Dippolting, who carried a piece of cloth around with her for weeks so as to immediately wrap up and bury the baby when it came.¹⁵⁶ Rarer still was the cold-blooded live burial of Hans Gumman's illegitimate six-month-old child (with his wife's assistance)—an atrocity that earned both of them the much more severe execution by the wheel.¹⁵⁷ Most accused child murderers acted only with what tools were available to them at the moment of birth. Suffocation, either by strangulation or by smothering, was by far the most common in the Nuremberg records, followed by pressing the forehead in, stabbing, and then sheer negligence.¹⁵⁸ One woman stuffed dirt in a newborn's mouth, another straw, others used pillows, and so on. Like Apollonia Vöglin, Veronica Köllerin gave birth in a bedroom at her sister-in-law's house. When the newborn cried a little, she held its mouth with two fingers and when she moved them away, the baby made two more little gestures and then was still.¹⁵⁹ Apollonia similarly admitted to pressing the baby's throat until it was dead. A more passive method was simply not to tie the umbilical cord and allow the child to bleed to death. The most common ancient practice, exposition to the

elements, was a more ambiguous gesture in early modern times, since—depending on the intention of the mother—these cases might represent either failed abandonments (when the child was found too late) or failed infanticides (when the child was found too early). Margarethe Dörflerin claimed that she had given her baby to a woman gardener to hold while she went into a tavern to get some money changed and when she came out, the woman was gone and the child frozen to death.¹⁶⁰ General negligence of the newborn during its first days and weeks of life remained the most difficult to prove, yet it appears to have been widespread enough for one historian to characterize it as “an intentional or unconscious form of postnatal birth control.”¹⁶¹

The treatment of the corpse also conveys some of the emotional turbulence that many women in Apollonia’s situation experienced. Servants without their own bedrooms sometimes stowed the body under their bed or in a private chest until they could decide how to proceed—again suggesting a lack of premeditation that might prove fatal. The two most common means of disposal—at least among those caught—were throwing the child in some body of water (river, stream, well, or even fountain) and leaving the corpse among piles of human waste, either in a privy or on a street (see fig. 1.11). The advantages of each of these methods included that the child could be quickly dropped, thereby reducing the chance of being seen. The major risk was that the corpse was much more likely to turn up, prompting in turn some sort of investigation. In Nuremberg, for instance, about one newborn corpse a year surfaced somewhere along the Pegnitz (usually near a mill) or on the city’s streets (see app. 2).¹⁶² Secret burials, by contrast, were less common among the convicted and presumably more successful, with only the occasional witness or excavation by an animal (see fig. 1.12).¹⁶³ The significance of water and excrement go beyond sheer utility though. In Nuremberg, the Pegnitz, like rivers and streams everywhere, was the frequent destination of much of the city’s garbage, and was filled with everything from wilted cabbage leaves to cattle carcasses.¹⁶⁴ Tossing an infant’s body into either a privy or a river was effectively the same gesture of trash disposal, a pattern still seen in the modern use of dumpsters and public restrooms for the victims of infanticide.

Did this mean that murdering mothers formed no emotional attachments to their newborns? This is a difficult question to answer. After her late-night labor, Apollonia Vöglin took the child, wrapped it in an apron and stored it in a chest for two days until she had an opportunity to toss it unobserved into the nearby Petz River.¹⁶⁵ Do we interpret her behavior as a callous treatment of her own offspring’s body, a denial of its humanity,



Fig. 1.11. A young maid tosses her illegitimate newborn under a waterwheel in Lucerne. Unknown to her, she is observed by a figure in the window behind her (1513). From the *Luzerner Chronik*. Luzerner Schilling.



Fig. 1.12. In April 1584, a large dog dug up the corpse of an infant who had been buried under a manure pile in Nuremberg. According to a 1605 chronicle, the dog ripped the body in half and went through the city's streets chewing on its portion (1605). Stadtarchiv Nürnberg.

or should we see instead look to cues in her description of its “little arms and legs moving” and otherwise gentle description of the newborn? Clearly the answer depends on the individual in question. Margaretha Markhardtin freely admitted that after her child’s birth “she then took it and immediately threw it into the Pegnitz, before she had [even] seen whether it was a girl or a boy.”¹⁶⁶ Apollonia, on the other hand, makes a point of noting that her child was a girl. To expect rational consistency in such a highly charged moment is probably a mistake. Otherwise, what do we make of Anna Emblin, who bore her child alone in the night and held it in her arms for at least a quarter of an hour before unceremoniously throwing it into the household privy?¹⁶⁷

There is no indication in Apollonia Vöglin’s interrogation records of how or why she was initially arrested in Immeldorf. She claimed to have confided in no one, yet in such situations the new mother’s own physical appearance was often in itself the first indicator. Article 131 of the Carolina pointedly stated that a woman’s sudden loss of girth and newly pale face were sufficient grounds for arrest on suspicion of child murder, even if no body had been found.¹⁶⁸ Both Apollonia’s brother and sister-in-law had remarked on her apparent pregnancy, which she had nonetheless denied and they apparently declined to pursue.¹⁶⁹ Significantly, the same article of the Carolina added “or [possessing] a weak or bad reputation.” Since almost anyone could make such an accusation, a single woman once more had to be especially careful that she maintained an honorable name. Only those informants deemed “bad or frivolous people” were doubted, “especially when they wanted to keep their names secret.”¹⁷⁰ Otherwise, anyone could claim that a woman of reputed “loose character” or “whorish behavior” was hiding an illicit pregnancy.

Since such terms appear in other child murderers’ interrogations but not in Apollonia’s case, we might cautiously dismiss reputation as a factor. More likely, it was simply the discovery of a newborn’s corpse that initiated an investigation by local authorities and resulted in her arrest. This type of dragnet was in principle easier in a village the size of Immeldorf than in a cosmopolitan center such as Nuremberg, where the number of potential suspects was many times higher and included many people passing through. In both the country and the city, magistrates relied on a network of local secular authorities and pastors to help identify culprits: “[W]hether [any] and which females were somewhat sick or [recently] travelled, or in any other way stood out as suspicious.”¹⁷¹ Midwives were also questioned about all recent births they had attended. When no names surfaced, the council turned to a carrot-and-stick approach, threatening anyone who withheld informa-

tion with severe punishment and offering a reward (*Fanggulden*) for relevant information.¹⁷² The dogged persistence of officials surprised some suspects. Susanne Reuthlin, later convicted for infanticide, naively claimed “she really hadn’t counted on or known that my lords would pursue the matter so keenly and anxiously, otherwise she would have stayed in Bamberg.”¹⁷³

In Apollonia’s case, we know only that she was arrested “with good cause.” This decision would have been made by at least two of the city’s jurists, possibly with both presiding mayors, and carried out by municipal guards or archers. Once arrested, Apollonia was detained in her home village until being transferred under darkness (to avoid spectators) to a cell in Nuremberg’s “Hole” (*Loch*), where she languished for almost two weeks until her first interrogation.¹⁷⁴ Usually such women were put in the slightly brighter and better cells in the front of the dungeon; occasionally they were interned in the city hospital, where they were chained and guarded. The long waiting period that followed, sometimes lasting several weeks, could be especially torturous for women who had just given birth. Suicide was a special concern of the magistrates who repeatedly ordered jailers to keep close watch on their prisoners lest they do any harm to themselves. The town council appointed a special “watcher” for Apollonia immediately upon her entrance into the Hole.¹⁷⁵

While incarcerated, Apollonia was visited by one of the prison’s chaplains, who was charged with consoling her and offering reconciliation with God before it was too late. In his journal, the Nuremberg chaplain Johannes Hagendorn describes the misery of the accused child murderers he visited in some detail, usually involving a lot of weeping and in at least one case profound concern for the effects of the scandal on her family on the outside.¹⁷⁶ Hagendorn recorded with satisfaction that Anna Emblin “had otherwise conducted herself as a repentant sinner, heartily [acknowledging] her committed sins, and indeed wept such that, the first time I was with her, she required a second handkerchief, so that she might wipe away the tears that flowed so copiously down her cheeks.”¹⁷⁷ Nurses were also brought in for ailing women such as Margreth Hainin who was “very weak and sick with pains in her side, also cannot keep any food down.”¹⁷⁸ The city’s magistrates remained always cognizant of the harsh effects of imprisonment, in one instance urging the municipal jurists to speed up the sentencing process so that the condemned “is not kept long in the squalor of incarceration.”¹⁷⁹ This paternalistic concern for the well-being of imprisoned suspects strikes modern sensibilities as peculiar and contradictory, particularly when the woman is purposely given time to heal so that she can be effectively tortured or executed. The irony of the situation was not lost on some contempo-

raries. According to Hagendorn, the city's surgeon "remarked to him during the [condemned's] treatment that it troubled him that he spent so long healing what Meister Frantz [the executioner] would again ruin."¹⁸⁰

During the first few days of incarceration, both Apollonia and the dead child would have been examined by midwives and occasionally a physician. The key question was whether or not she had recently given birth. Given the inconclusive nature of pelvic examinations at the time, this issue was usually resolved by midwives who checked Apollonia's breasts for milk. The suspect's overall mental and physical state were also assessed. Sometimes the midwives testified—unsuccessfully—on the defendant's side, arguing that a child was probably stillborn or that intentional excessive work could not have produced a stillborn child. Other times they confirmed that a suspected woman had indeed been pregnant and that a newborn showed signs of unnatural death.¹⁸¹

Meanwhile, the corpse of Apollonia's newborn would also be examined for signs of an unnatural death, especially if the magistrates were not satisfied with their initial examination of the mother. If this procedure did not turn up something obvious, like a crushed forehead or neck, a medical "commission"—consisting of one physician, two bathmaster-barbers, one midwife, and one nurse—was appointed to conduct an autopsy.¹⁸² Until the development of the lung test at the end of seventeenth century (floating a cut-out lung in water to see if it held air), the examiners often had difficulty determining whether the child had ever been full term (*zeitig*).¹⁸³ Nonetheless, they always rendered a definitive finding for the magistrates, usually indicating foul play, for instance, "Upon the written statement of the sworn master of the barber and bath guild, how [the commission] examined the dead newborn baby found early last Sunday in the Vischbach and found that the forehead of the same had been pressed in."¹⁸⁴ Naturally, there were a few exceptions. In 1591, the grave digger at the new churchyard in suburban Wöhrd found the still-warm body of a newborn in the common grave, wrapped in a diaper and black cloth and apparently with the forehead pressed in. Subsequent examination by the city's surgeon, however, led the doctor to conclude that the head probably was not pressed in, that any wound probably occurred naturally during birth, and "the case should be left to the will of God."¹⁸⁵ Regardless of the cause of death, the infant was then buried in one of the city's cemeteries "at minimal costs."¹⁸⁶ Unlike Catholics, Lutherans usually did not deny church burial to unbaptized children. Thus the town council even ordered an infant's corpse dug up and reburied in hallowed ground when learning that a passerby had buried the body at the spot in the woods where he'd found it.¹⁸⁷



Fig. 1.13. An eighteenth-century dramatization of the discovery of a murdered newborn under the mattress of a suspect young maid (ca. 1750). Bibliothèque nationale.

At the same time that Apollonia and her alleged victim were being examined, her bedroom and possessions were thoroughly searched for incriminating evidence. Together with the physical examinations, these searches constituted the first phase of the investigation, known as the “general inquisition.” The premodern version of the smoking gun—the bloody knife—did turn up at times, as did stained bedsheets or clothing (see fig. 1.13). If so, the suspect was confronted with the suspicious items and asked to explain. More commonly, a case turned on careful deposition of various family members and neighbors, each of whom signed a sworn statement. Here too there were occasional bull’s-eyes, such as the washwoman who claimed to see Veronica Köllerin burying a dead baby “in broad daylight,” or another witness who merely saw Anna Seyfridtin near the grave of a newborn. Margaretha Markhardtin was even found moaning in a bloody tub by the local bailiff (*Hauptman*) but it wasn’t until a newborn’s corpse was found six days later that the case against her was made.¹⁸⁸ There is no mention of such incriminating evidence in Apollonia’s case.

Given the severe limits of early modern forensic science, the type of evidence authorities relied on more than any other was the accused’s own testimony. Ideally, the alleged murderer confessed immediately and without duress. This type of resolution appears to have been the exception rather than the rule. Instead, interrogators brought an ever greater degree of pressure on the accused, ranging from long confinement and hostile questioning to torture itself. One of the least violent (though still psychologically

intense) methods of obtaining a confession was the so-called “bier test” (*Bahrprobe*), wherein the accused was forced to approach the newborn’s corpse on its stretcher and touch it. If the body bled or gave any other sign of guilt, the killer’s confession would supposedly be forthcoming. In a 1549 account, a suspected child murderer was confronted with the corpse of a newborn found in the household’s common toilet. When “the master of the house said, ‘Oh! You innocent baby, if one among us here is guilty [of your murder], then give us a sign,’ then supposedly the left arm of the child immediately lifted up.” Since this extrajudicial event appears nowhere in official records, it is hard to assess what role the cadaver’s alleged dramatic testimony played in the subsequent conviction of the family maid, Margarethe Wagnerin. Nor is it clear how commonly the bier test was applied, especially since there are only two references in Nuremberg, both in the sixteenth century.¹⁸⁹

It is clear that interrogators made use of every means of obtaining a confession possible. If Apollonia were found to have milk in her breasts, or other incriminating evidence surfaced, criminal authorities were empowered by the Carolina to instigate torture.¹⁹⁰ When the time for the “special inquisition” came, Apollonia was brought from her cell to the interrogation room, a windowless chamber also in the dungeon, located directly beneath a town council chamber with air ducts connecting the two rooms acoustically. There two members of the council posed questions, two secretaries wrote everything down, and the executioner, possibly with one or two helpers, restrained and upon instruction tortured the prisoner. After recording the subject’s name, age, means of support, accused crime, and so forth, the interrogation itself got underway. Typically, Apollonia Voglin’s opening statement acknowledges a secret pregnancy and unusual disposal of the body but maintains that the child was stillborn.¹⁹¹ Her admission is essentially ignored by her interrogators who follow instead their own rough formula. By now it comes as no surprise that one of the first questions posed had to do with her reputation, particular in sexual matters: “Who is the child’s father and where the same fornicated with her, also how often and which dates, this she should also testify.”¹⁹² Just as in marriage suits, a woman with multiple sexual partners immediately had less credibility with magistrates and was therefore more likely to be convicted.¹⁹³ Perhaps this bias helps account for Apollonia’s repeated underscoring that her dalliance with the Palm Cutter had been her only sexual experience.

The second most common magisterial concern was the identification of any accomplices, before or after the fact. Apollonia testified more than

once that no relative or friend knew about her secret pregnancy and birth or suggested infanticide to her.¹⁹⁴ Perhaps she did confide in her sister or even Steffan and received no comfort or help. Maybe Steffan urged her to abort or kill the child after its birth—not an uncommon reaction among some fathers-to-be in such situations.¹⁹⁵ On the other hand, a refusal on Apollonia's part to confide in others did not necessarily stem from genuine social isolation. Both Elisabeth Ernstin and Christina Zieckhin claimed that their fiancés would have come to marry them had they not waited until too late to write the men. Agnes Lengin similarly testified that her sister would have tried to help her but Lengin feared confiding in her "lest her father find out and beat [the sister] for it."¹⁹⁶ Interestingly, there is no record of any convicted child murderer ever implicating someone else as an accomplice; those very few individuals who were punished for complicity were apparently convicted on some other evidence or testimony. Is this evidence of courageous loyalty to supporters or of desperate isolation of those who actually got caught? Probably both, depending on the case, though there is of course no way to be sure. No person was ever convicted in Nuremberg of incitement to commit infanticide, and only two individuals were punished as full accomplices.¹⁹⁷

This unwillingness of Apollonia and other accused women to provide the names of accomplices is impressive, particularly given the quite different trend among contemporary witchcraft trials, the other most serious criminal accusation against early modern women. Nor can witch hunters' frequent recourse to torture fully account for the difference, since at least one-third of infanticide interrogations (including Apollonia's) applied torture or the explicit threat of it.¹⁹⁸ Given the centrality of personal confessions in early modern criminal proceedings, the reliance on judicial torture is understandable (if still reprehensible to modern sensibilities). Early modern interrogators viewed this type of questioning as a last resort and even then required official approval of the town council each time a subject was to be tortured. The council in turn requested guidance from the city's jurists, who usually based their decisions on key passages from the Carolina on what sort of evidence was necessary to proceed to torture. The jurists also decided how long and to what degree a suspect should be tortured, generally agreeing on fifteen minutes at a time for a recently delivered or otherwise weak woman.¹⁹⁹

The means of torture varied considerably. In Nuremberg, the first step was to bring the prisoner into the torture chamber with all of its assembled tools of pain on display, binding the subject into a chair and threatening to begin



Fig. 1.14. Various forms of late medieval and early modern torture, including the strappado, at right.
From Ulrich Tengler's *Layenspiegel* (1509).

torture. This was usually enough in most infanticide cases, as in Apollonia Vöglin's,²⁰⁰ but for those individuals who still resisted the executioner and his assistant would begin applying whatever method the council had approved: thumbscrews, "fire" (candles or torches applied to the subject's armpits), "water" (a type of gagging and near drowning while seated), "the rack" (the subject is strapped to a ladder and rolled back and forth on a spiked drum), "the wreath" (a metal and leather band is placed around the forehead and tightened), or most commonly in Nuremberg, "the stone," or strappado (the subject's hands are bound behind her back and slowly pulled upward on a pulley with a stone weight; see fig. 1.14). When a confession ensued, the prisoner was released and made to repeat the statement with at least two witnesses and no further coercion (other than the specter of further torture). If the suspect still denied the allegations, the interrogators sought permission

from the council to torture anew. Again, very few accused child murderers appear to have held out this long. Those who did quickly reached the point of exhaustion. Margaretha Schwammergerin, who began as a cooperative subject was still tortured to the point where she pitifully responded to every question with “ she doesn’t know, even if she should die now.”²⁰¹

Was Apollonia’s coerced confession genuine? Undoubtedly torture produced some false convictions for infanticide, but it is impossible to be more specific than that, particularly given the great emotional turmoil and confusion of accused women, whether or not they consciously killed their newborn. One Nuremberg jurist recognized this ambiguity and wrote that it was better “to let a hundred guilty [persons] go free, than to kill one innocent,” yet this same judge went on to cast the deciding vote in convicting a young woman of child murder without a confession—the only case in Nuremberg’s history where other evidence sufficed for conviction and execution.²⁰² If the question could be answered satisfactorily, it would turn less on acknowledging both the secret pregnancy and dead offspring—which almost all freely admitted after their arrest—than on establishing the suspect’s active role and intentionality in causing the infant’s death.²⁰³ A secret birth in itself, in other words, was in practice treated as sufficient for arrest but not for conviction. This was one of the reasons that suspects were always asked about any previous children, a tactic that occasionally resulted in some fairly open-and-shut cases.²⁰⁴ Several cases involved strong corroborating evidence, thereby weakening the dependence on a confession. Still, there would have always been certain instances where conscious intentionality or even guilt itself would have been difficult for the accused herself to ascertain, let alone distant observers from four centuries later. Clearly some accused women truly believed that their children were still-born and only after the threat or application of torture confessed to murder. Apollonia Vöglin, for instance, claimed that she hadn’t felt any movement in her womb for at least a week before the birth—a common phenomenon among late-term pregnancies, yet one that might have led her to genuinely believe that the fetus was already dead.²⁰⁵

After Apollonia’s interrogation, her case was again referred to three or more of the city’s jurists, who made their recommendations as to the appropriate punishment.²⁰⁶ Usually the suspect had admitted her guilt by this point, and the legal experts’ key determination was her understanding of the deed and its consequences. If, for instance, Apollonia had refused to acknowledge that her child was truly dead, the jurists might have sought the opinion of a physician as to her sanity.²⁰⁷ A suspect who held to her

statements of innocence after two or three torture sessions, such as Elisabeth Schusterin in 1611, was released for lack of evidence, though not without some form of punishment, ranging from an oath to flogging and banishment.²⁰⁸ Here too the suspect's personal reputation and perceived intentions played the key roles. Otilia Demerin, for instance was banished despite the absence of a confession, while Helena Schlauerspächin received merely a stern lecture and warning that if she again came before the council "one would undertake another serious action against her."²⁰⁹ Overall, 64 of the 79 women accused of infanticide in Nuremberg from 1549 to 1675 were convicted, a rate of more than 80 percent.

Once convicted of infanticide, Apollonia faced an exceptionally high likelihood of execution, on average about three out of four convictions throughout the empire.²¹⁰ Again the influence of the Carolina and imperial police ordinance of 1548 is obvious. Only four child murderers were executed in Nuremberg before 1549; instead, banishment and other corporal punishment, such as branding, were the norm. From the mid-sixteenth century on, though, the prosecution of infanticide followed the same pattern of other crimes throughout the empire: more frequent prosecution and more severe punishments. Between 1549 and 1675, only six convicted child murderers were spared execution, all but one of those between 1592 and 1600 and none after 1621.²¹¹

There is no record of any plea for pardon on the part of Apollonia's relatives. This may have been in part because appeals of this sort, a common feature of late medieval justice, had become increasingly futile by this time. A massive appeals campaign for a young child murderer convicted in 1549, led by the imperial vice chancellor and other important personages, resulted in mitigation of her sentence in view of "youth and ignorance, as well as temptation by the evil Enemy." Just two years before Apollonia's case, convicted child murderer Margaretha Schüblin was pardoned upon the pleas of two Polish nobles.²¹² Such exceptions were already unusual, however, and from that date on Nuremberg's magistrates intentionally made releases from execution for child murderers rarer still, "so that the people don't make light of it and give rise to more of the same evil business." It made no difference if the supplication came from an employer, family member, a community at large, a highly placed official, or even the "honorable women" who directed the midwives.²¹³ Mental competence apparently also played no role in sentencing, since the council still executed Anna Hupffauffin, "by nature a defective person, weak in the head," as well as Susanne Reuthlin, who "was very incomprehensible during the interrogation."²¹⁴

Once Apollonia's guilt had been established through her own confession, the council moved swiftly to carry out a sentence of execution within if possible a few days. Her "trial," as such, consisted of her entering the council's chamber, whereupon the evidence against her as well as her own confession were read aloud to thirteen jurors. After her two interrogators certified her confession, the jury was immediately polled for a verdict and sentence pronouncement. The purpose of the entire ritual was to establish the accused's guilt and demonstrate the council's authority rather than to weigh the evidence in what was an already decided case. Immediately upon hearing the jury's decision, the main judge or representative of the town council would proceed to make a formulaic pronouncement of condemnation, typically ending "[that] amid the many, worsening, shocking, and appalling child murders, her well-earned punishment might serve as an example and abhorrence to keep others from similar misdeeds."²¹⁵ Apollonia was not permitted to make any statements on her own behalf; she merely watched and listened as her life was taken away from her. Once the judge finished speaking, she signed or made a mark on a copy of the verdict, and the procession to the execution site was underway.

Alone with No Options in Sight

Compared to the other details of her story, Apollonia's end is rather obscure. It is recorded that at sundown on Sunday, March 2, 1578, she was escorted outside the city's closing gates by four archers and for jurisdictional reasons transported twenty miles to Lichtenau, a journey that required four long days during which Apollonia was bound to contemplate her imminent violent end. Upon arrival in Lichtenau she was summarily drowned by Nuremberg's executioner, Frantz Schmidt (see fig. 1.15).²¹⁶ No gallows speech has survived, nor do we know whether any members of her family attended the execution and claimed her body or where that body was buried. This much of her story has been preserved, though, and thanks to it some sense of her plight has also survived. Most important, we see the usual effectiveness of dealing with unwanted children even before birth and how differently Apollonia's story might have ended had she felt able to turn to someone for support: a father who would (informally or in court) press her impregnator to marry her; a fiancé who would be willing to claim the child as his own in a somewhat downgraded wedding; a mother, sister, or female friend who would have helped her abort; relatives or friends who would have housed her during her confinement and taken or placed the baby.



Fig. 1.15. Drowning, shown here in an Anabaptist case, was the preferred form of execution for women during most of the sixteenth century in German lands. Two years after Apollonia's death, it was replaced in Nuremberg by beheading, considered more merciful (ca. 1592). München Kupferstichkabinnet.

Infanticide, even more than anonymous abandonment, represented an extreme and relatively uncommon failure of informal child circulation, a rupture in the usual way that relatives, neighbors, and friends dealt with an illicit pregnancy or unwanted newborn child. Various demographic and legal factors, particularly more frequent and intense prosecution of fornication among single women, obviously worsened Apollonia's situation. It was nonetheless her perceived isolation—out of fear and inability to trust someone else—that eliminated all of the other options that the vast majority of pregnant single women pursued. Whether she had put her hope in a forthcoming wedding with Steffan or in a miscarriage, Apollonia very quickly embarked on a downward spiral of increasingly desperate choices. Given her desperately agitated frame of mind, it is not even certain whether her confessed murder was indeed a conscious choice or perhaps an accident of some sort. Even once the child was dead, she would have been much less likely to get caught if she had the assistance of one or more accomplice. The records, however, never mention any relatives or friends visiting during her imprisonment. A random omission or a significant one? We cannot know.

It is in fact an irony of the same sources that we know so much more about such cases of the least common resolution of an unwanted pregnancy than we do about the mass of pregnant single women who married, aborted, abandoned, or even kept their illegitimate children. Apollonia Vöglin was far from unique in her experience of an unwanted pregnancy and later an unwanted child but that truth provided her with no escape from her seemingly insoluble predicament.

