

THE ILLEGITIMACY PHENOMENON OF ENGLAND AND WALES  
IN THE 1950's AND 1960's

Miss K.E.Kiernan

Demography Course 1970-71

The Illegitimacy Phenomenon of England and Wales in the 1950's and 1960's

The illegitimacy phenomenon, although as old as man's social institutions is one about which much has been written, especially from a social welfare and moralistic stance, but little is truly known. Demographic analysis of illegitimacy is severely limited, perhaps because of its limited contribution to overall fertility in Western societies, and the lack of official statistics.

Yet in the 1960's, the incidence of illegitimacy whether measured in terms of sheer volume of numbers, or as a rate or a ratio has increased sharply in England and Wales and other countries of Europe and European extraction. Only two increases of any similar magnitude have occurred during the present century and these took place during the more disturbed conditions of the two World Wars.

In this paper I intend to -

- (i) examine the broad historical trend of illegitimacy in England and Wales;
- (ii) attempt to investigate from the limited data available, how it varies with regard to maternal age, marital status, parity, and social class etc. especially since the early 1950's;
- (iii) discuss some of the conceptual and theoretical problems involved in its study.

Definition

In England and Wales, for statistical purposes, a child is defined as illegitimate if the mother and the putative father are not married to each other when the birth is registered. This definition includes not only births to unmarried mothers (i.e. single, widowed and divorced women) but also births occurring to parents one or both of whom may be married, although not to each other.

The validity of the England and Wales statistics on illegitimacy is ultimately dependent upon the accuracy of the statements made by the persons reporting the birth in the local Registrar's office. At registration the attention of the informant is drawn to the consequences of giving false declarations. Nevertheless, informants may deliberately or inadvertently make false statements about date of marriage, their marital status or the paternity of the child, which results in the registration of a child as legitimate whose actual status is illegitimate. There is no reason to suppose that errors of the registration procedure occur in the opposite direction

(i.e. recording legitimate births as illegitimate) and the official statistics are likely to be an underestimate rather than an overestimate of the extent of illegitimacy.

#### Historical Trend

The illegitimacy ratio i.e. the total number of illegitimate births as a proportion of total live births in a year stood at 66 per thousand when it was calculated for the first time in 1842. From 1851, the ratios may be examined in the last column of Table I, for certain specified periods and individual years from 1940, bearing in mind that one cannot assume that the recording of illegitimate births has been equally good through time.

The ratio fell steadily throughout the last half of the nineteenth century and from the mid 1880's remained relatively stable, except for the two wartime peaks, until the late 1940's, at what would now be considered a low level of approximately 45 illegitimate births per 1000 live births per annum.

The two wartime peaks and the general trend of the ratios are illustrated in graphical form in Figure I. Statistics available for the Second World War suggest a possible explanation for the sudden increase in the level of illegitimacy. While the percentage of illegitimate births increased, the percentage of legitimate first births in which conception occurred before marriage decreased. When the illegitimacy ratio fell after the Second World War the percentage of legitimate births which were pre-maritally conceived increased once more. This suggests the possibility that in the disruptive conditions of war, when spatial separation was more prevalent, marriages which might have normally followed conception did not occur. Contrary to popular belief, the rise in illegitimacy did not necessarily reflect any significant change in the norms relating to sexual behaviour.

After the Second World War it looked for some years as though the ratio would fall back to its accustomed level. From over 90 per 1000 in 1945 the ratio had almost halved by 1953. In fact, as can be seen from Table I, the ratio remained relatively stable between 1949 and 1959 at between 47 and 51 illegitimate births per thousand live births.

But the 1960's have seen what some writers refer to as an "amazing rise in illegitimacy" a percentage increase in terms of the ratio of just under 60% between 1960 and 1968. That the 1968 ratio is still below the 1945 high tends to obscure the extent of the new rise and is partly due to the shortcomings of

the the ratio as an analytical tool, in that two fairly independent sets of factors affect the numerator and denominator and consequently changes can occur to the ratio due to changes in one or both items. The number of illegitimate births i.e. the numerator is affected by the size of the population at risk of bearing illegitimate children and the prevalence of illegitimacy, whereas the denominator i.e. the total number of live births is also influenced by the factors which affect marital fertility; including changes in the proportions of women married, the age at marriage, completed family size etc.

The alternative to using this crude measure, is to use the illegitimacy rate which measures total illegitimate births as proportion of the total single widowed and divorced women in the childbearing period, in a year. The rate is an attempt to take the population at risk more into account, which has traditionally been the number of unmarried women. It responds to the question how many women in a given population are likely to have an illegitimate child as opposed to the ratio which responds more to the question, what proportion of births in the childbearing period are legally classifiable as illegitimate. The illegitimacy rate, as may be seen in Column II of Table I and in Figure II, evidences a far more spectacular rise than the ratio, especially since the 1940's, and in fact surpasses the wartime peak of 16.1 in 1961 and has continued to rise since.

#### Demographic Analysis

The question now to be posed, is whether demographic factors or the interaction of demographic factors can afford any explanation as to why the observed levels of illegitimacy, measured in terms of rates, have changed, especially in the 1950's and 1960's.

To facilitate this end, I have chosen to investigate the three variables which together form the basis of a given rate in a given year. These are:

- (i) the age distribution of females in the childbearing period,
- (ii) the proportions single in each age group in the childbearing period,
- (iii) the age specific illegitimacy rates per thousand single, widowed and divorced women in the childbearing ages.

The values for these three variables are given in Table II a, b and c, for quinquennial intervals from 1950 to 1965 inclusive.

With respect to the age distribution of females in the childbearing period, the values for which are given in Table IIa, the

trend is the least clear except in the younger age groups where there has been a 33.6% increase in the proportion of females in the 15-19 year old age group between 1950 and 1965; and a 10.3% increase in the 20-24 year old age group between 1955 and 1965. The significant increase in the 15-19 year old age group stems from the post-war baby boom. The expected effect of an increase in the proportion of females in the younger ages, given that the denominator of the rate is based on the number of unmarried women in the population, would be to increase the population at risk of bearing illegitimate children, as these two age groups contain the largest proportion of the unmarried population in the childbearing era; 55.9% in 1950 compared to 70.3% in 1965. But standardisation on the age distribution for 1950 with respect to the years 1955, 1960, and 1965 given in Table II c, indicates that the changes in the age distribution over time have been insufficient to explain the increases in the level of illegitimacy, measured in terms of rates.

Turning to the proportions in an age group who are unmarried (Table II b) the trend is noticeably one of decline; the expected effect of such a decline would be to inflate the overall illegitimacy rate, because the number of illegitimate births are, over time, being attributed to an ever decreasing number of unmarried women. Standardisation with regard to the 1950 proportions unmarried (Table II c) indicates that this effect also has been insufficient to account for the substantial increases in the illegitimacy rates. In fact the increase in the illegitimacy rate during the period 1950-1965, as can be judged from the standardisation scores, is not significantly due to changes in the age structure, or to a decline in the proportions unmarried, in the childbearing period, but to the actual numerical increase in illegitimate births, overall and in the individual age groups.

#### Maternal Age and Illegitimacy

Having reached this conclusion it would be useful now to investigate the relationship between maternal age and illegitimacy. But may I state initially, that the relationship is highly complex and difficult to interpret.

The 15-19 year old age group, with respect to the two traditional measures i.e. the ratio and the rate, exhibits by far the highest ratio, as indicated in Table III; but one of the lowest rates as shown in Table II c, and has done so consistently, over the time period under consideration. In terms of the actual number of illegitimate births it has taken second place since 1960, as shown in Table IV. The high ratio tends to arise from the fact that although this age group produced, for example in 1965, 29.1%

of the total illegitimate births, the numerator of the ratio, it only produced 10.2% of all live births, the denominator of the ratio, which makes for a high illegitimacy ratio. On the other hand, it produces a low rate because most women in this age group are unmarried and below the age of 16 they are not permitted to marry.

The 20-24 year olds produced the greatest number of illegitimate births, exhibited the second highest ratio, and the third highest rate over the period 1950-1965, and in 1965 produced the greatest number of legitimate births. The 25-29 and the 30-34 year old age groups have produced the highest rates, but the two lowest ratios over the period. The high rates are due to the fact that there is a declining proportion of unmarried women in these two age groups, constituting, for example in 1965, only 10% of the total single widowed and divorced women in the childbearing period, which will tend to produce higher rates. The lower ratios, as in the 20-24 year old age group, are attributable to the fact that the greatest number of legitimate births are born to these three age groups. With regard to the illegitimacy rate, illegitimate births to unmarried women in the older age groups must be set against an ever decreasing number of unmarried women, and the ratios against a decreasing amount of legitimate fertility.

A further difficulty, with regard to the rate, which would be an appropriate measure of the incidence of illegitimacy if all illegitimate births occurred to unmarried women, is that the greater the proportion of illegitimate births occurring to married women, and the greater the proportion of consensual unions, the more misleading it becomes to use the number of unmarried women as the denominator. To offset this difficulty, I computed the overall probability<sup>1</sup> of any woman (regardless of

---

1. Referred to as the General (Illegitimate) Fertility Rate by B. Benjamin 1968 and to the General Rate of Illegitimacy by J. Kumar 1969.

---

marital status) in the childbearing ages giving birth to an illegitimate child. These values, given in Table V for the whole childbearing period and individual age groups, indicates that the overall probability has increased by 91.6% since 1950, the greatest increase has occurred in the two youngest age groups, and the greatest probability occurs in the 20-24 year old age group, followed closely by the 15-19 year olds and otherwise declines with increasing age.

The preceding discussion on rates and ratios and other indices, by maternal age indicates the complexity of the illegitimacy phenomenon, and the unravelling of such a situation is thwarted by the lack of depth of official national statistics, which only collect information on age and area of residence of the mother at birth registration, unlike legitimate births where marital status,

parity and social class are also collected. Omission of these important details of information has perhaps reinforced the tendency to treat illegitimacy as a unitary phenomenon of first births to unmarried girls, when in fact the population is composed of a number of sub-categories. This point will emerge from the analysis of the few localised studies done in Great Britain in the 1950's, and one national study carried out in the early 1960's; which permit a deeper analysis of illegitimacy with respect to marital status, parity and social class.

Deriving information from a few local studies creates the problem of how much one can generalise the information to a national level and the even greater difficulty of generalising to another decade. A further difficulty is that one of the few studies available, carried out in the early 1950's, relates to Scotland, which historically has had a tendency to produce higher illegitimacy ratios than England and Wales, although by the early 1950's both areas were exhibiting ratios of just over 50 illegitimate births per thousand live births a year, and were perhaps as similar, in terms of ratios, as they ever have been in the past, or since, because in the mid 1950's the Scottish ratio fell below that produced by England and Wales and has continued to exhibit a lower ratio since.

#### Illegitimacy, Parity and Marital Status

Bearing these provisos in mind, the information provided by Barbara Thompson, from her study of all illegitimate maternities occurring in the city of Aberdeen between the years 1949 to 1952, provides interesting insight into the illegitimacy phenomenon, with regard to the marital status and parity of women, having illegitimate maternities.

Table VI indicates that with respect to first illegitimate maternities, the greatest percentage did in fact occur to single women, 91% of the total, but with regard to second or subsequent maternities only 43.9% occurred to single women and 43% occurred to married women. The table further indicates that 48.5% of all illegitimate maternities were in fact multiparous, and that 24.2% of all the mother's of illegitimate children were married, and 68.2% single.

Similar findings were obtained by the Leicester Health Department in a follow-up study of illegitimate children born in the city of Leicester in 1949. They found that of the 240 mothers, out of a total of 265 mothers who gave birth to illegitimate children of all parities in that year, on which marital status information was available, 58.9% were single and 26.6% were married at the time of conception.<sup>2</sup>

---

2. The use of "conception" may lead to some confusion, but reading of the article indicates that conception and birth may be equated, the problem being one of different terminology. This also applies to Table VII.

---

With respect to parity, of the 244 mothers for which information was available, 66 of the women had had previous legitimate children, and 82 previous illegitimate children, thus 52.0% of the illegitimate births were multiparous, similar to the figure of 48.5% given in Thompson's study.

The Leicester Health Department also provides a broad age breakdown with regard to marital status, as given in Table VII, for the 236 women for whom both age and marital status information were available. Table VII indicates that all the mothers of illegitimate children aged under 20 were single and 65% of the broad age group of 20-29 year olds; whereas 40% of the 30-39 year olds were married. Of those married in the broad age group 20-39 years, only 8 were still living with their legal husbands, the great majority were living apart, although not legally separated.

With regard to the stability of the mother's relationship with the putative father, at the time of the birth, the study indicated that about half the mothers of all statuses, for which information was available, were living with the putative father, and if only the married, widowed and divorced mothers are considered, the proportion rises to 75%.

As stated before, data from localised urban studies have limitations in that they may not be representative of the national situation. Fortunately one national study is available carried out by the General Register Office, in the early 1960's, in which a sample of illegitimate births occurring in April 1961 was matched with the census schedules of that year, to ascertain the marital status of the mothers of illegitimate children. Failure to match 17% of the birth registrations with the census schedules and the possible misstatement of marital condition made on the census schedule, are its main limitations. As indicated in Table VIII out of the 1059 sample 875 were successfully matched, of these 250 or 29% were to women who described themselves as married on the census schedule. How many of these 250 were legally married but separated from their husbands and living with other men, and how many were simply describing themselves as "married" was not ascertained. But among those births registered on joint information, implying that the man acknowledged that he was the putative father the proportions "married" rose to 50%. Classification by age, also shown in Table VIII, indicates that 70% of all so called married mothers of illegitimate children were aged between 25 and 39 years; indicating that "married" mothers of illegitimate children have an age distribution which is considerably older than that of all mothers of illegitimate children.

Those births registered on joint information, 41% of the total sample of illegitimate births, were classified according to whether



the father was enumerated as present on the census schedule. For all the 361 joint information births the father was enumerated as present in 80% of the successfully matched births, the proportion rising to 89% where the mother described herself as "married". It would appear that births registered on joint information appear to represent some form of consensual union, assuming that the presence of the putative father on the schedule can be taken to imply this. For this one week in April 1961, it appears that 33% of the total number of matched births, occurred to parents living in such a union.

These data, of course, only relate to one point in time, but they do indicate, like the localised urban studies, that the conventional use of the number of single, widowed and divorced women in the childbearing ages, as the denominator for the computation of the illegitimacy rate can be misleading, and that this is particularly so for women over 25 years of age. The local studies as does the General Register Office's study indicates that approximately one illegitimate child in three, may be born to a married woman or at least, in the case of the national study, one who would describe herself as married on the census schedule.

Yet in considering statistics of demographic events, it is important that they should be related to the population at risk of experiencing that event. The alternatives open to adjusting the rate would be; to either subtract those illegitimate births occurring to married women from the total, thus limiting discussion to illegitimate births to unmarried women in the population, or to add some married women to the population of the denominator. But, although it is possible to estimate the number of married women who do have illegitimate babies, it is not possible to estimate the number at risk of doing so. A third possibility, admittedly more crude, would be to simply compute the overall probability of any woman in the childbearing ages giving birth to an illegitimate child as I did, and indicated the results in Table V.

#### Social Class and Illegitimacy

With regard to social class and illegitimacy, needless to say the relationship is somewhat obscure, because of the lack of data. The only comprehensive data are those supplied by Thompson, which indicated a marked social class gradient of illegitimate births increasing downwards from the professional classes to the unskilled classes. The G.R.O. for England and Wales also published relevant census information in 1951, showing a similar social class gradient - but caution is necessary because of the large percentage of cases, in the study, for which the occupation of the women was unknown, and moreover the acute problem of assigning women to social classes. Whether the situation has changed since, with respect to the England and Wales situation, is an unknown quantity. Only clues to the fact that it may have changed, is from Scottish data, where the Registrar

General has published relevant information, annually since 1950. In the early 1950's the highest ratio occurred in Social Class IV (semi-skilled occupations), which contains a high proportion of agricultural workers in Scotland, and from IV followed a declining trend through Social Class V, III and II to Social Class I. Gradually this ranking order has changed, with a fall in the illegitimacy ratio of Social Class V and a rise in the Social Class II ratio, so that from highest to lowest the order in the late 50's and in the 1960's has become IV, II, III, V and then I. These changes are difficult to interpret, because for illegitimate births social class is based on the mother's last occupation, but the ratio is calculated out of births most of which, i.e. legitimate births, are classified on husband's occupation. Also the problem of the large number of illegitimate births for which social class is unknown, still persists e.g. in 1969 social class information was unknown for 41% of the total illegitimate births.

#### Mortality of Illegitimate Births

Historically death rates of infants under one year of age, born illegitimate, have been higher than the corresponding rates of children born legitimate. Although the gap has been closing since the Second World War as Table XI a. shows, a differential infant death rate still persists.

A General Register Office study which matched a 10% sample of all the birth and death records for infants born and dying in the period 1st April 1964 to the 31st March 1965, found that comparison of the infant mortality following single illegitimate and legitimate births showed higher rates for the former for all age categories of the mother. (Table XI b). If those age groups of the mother with less than 150 illegitimate births in the sample are disregarded (i.e. mothers less than 16 years and over 44 years) one sees that mothers age 16-19 years had the highest infant mortality rate of 31.5 per thousand live births, but also one may further note the rates for legitimate and illegitimate babies showed the least difference for this age group. These figures provide true rates for deaths of infants who are illegitimate at birth because birth and death records are being linked thus including in the illegitimate category those infants who were legitimated within the year.

This study further indicated that with respect to form of registration i.e. either on joint or sole information, the neonatal mortality rate per thousand live births was 10.6 for joint information, and 25.2 for sole information registration (Table IX c) but the overall post neo-natal rates showed little difference. The strikingly low neonatal mortality rate for those with joint registration is misleading because an immeasurable proportion may be due to cases where the infant died in the early post-natal period so that the birth and death were registered at the same time. In such circumstances there would be possibly

less reason for the father to attend the registration and the birth would be recorded without joint registration. The overall post-neonatal rates were similar for both types of registration, although the age breakdown suggests that babies of older mothers registered on joint information tended to benefit from this situation but babies of younger mothers appear to be worse off.

With regard to cause of death, differences between legitimate and illegitimate are small for infective diseases, injury at birth, post-natal asphyxia and atelectasis, and immaturity associated with diseases of early infancy, the biggest differences occur with regard to the general immaturity category, being more prevalent with respect to illegitimate infants, and congenital malformations more prevalent among legitimate infants.

Once again the situation is by no means clear cut, but as Table IX a. indicated a differential still persists. One can only speculate as to possible explanations, such as different attitudes of mothers bearing illegitimate babies to their pregnancies and this may affect ante-natal and post-natal care of herself and her infant.

#### Pre-Marital Conceptions

Finally before going on to the discussion part of the paper, I would like to discuss the relationship between pre-marital conceived legitimate maternities/births and illegitimate maternities/births. Data given in Table X provides some interesting sidelights to the total picture of illegitimacy. The arguments used at the beginning of the paper to account for the sudden increase in the level of illegitimacy during the Second World War, cannot be used to explain the rise in illegitimacy in England and Wales in the 1960's. Although the percentage of extra-maritally conceived births, legitimated by marriage of the parents before the birth of the child, in the early 1960's did not rise as fast as that of illegitimate births, from 1964 it has tended to increase in similar proportions as to the increase in illegitimate births. In view of the large proportion of extra-maritally conceived live births which end in marriage, it would be interesting to know of the remaining cases what proportion were not legally free to marry. Unfortunately we are not able to determine this from the available statistics, but a few speculative suggestions are incorporated in the discussion part of the paper.

## Discussion

Every society possesses certain institutionalised groups to carry on its essential functions, which require co-operative endeavour. The family initially incorporating one man and one woman tied by some legal bond, historically and still does, in the context of British society, perform the function of reproduction and childbearing.

The norm of post-marital procreation is an essential requirement of such an institution and the norm of non-extra marital procreation supplies the additional function of protecting an already established family group. Illegitimacy obviously violates these principles.

Utilising these two norms, I have devised a simple framework, to facilitate discussion composed of two broad categories; firstly Pre-Marital Illegitimacy incorporating illegitimate births to unmarried women, and secondly Extra-Marital Illegitimacy, incorporating births to married females.

### Pre-Marital Illegitimacy

Taking the Pre-Marital Illegitimacy category first - from the data available it would appear that this category incorporates approximately 60-70% of all illegitimate births. It would also seem reasonable to assume, that as the proportions unmarried are greater in the two youngest age groups, 92.9% of the 15 to 19 year olds and 42.1% of the 20 to 24 year olds in 1965, and 67.2% of all illegitimate births occurred to these two age groups, that pre-marital illegitimacy may be the most pronounced in these two age groups.

In fact the most characteristic feature of the 1960's has been the sharp increase in illegitimate births occurring to these younger women, but this increase must needs be considered in the context of earlier age at marriage, higher rates of pre-nuptial conception, changing views on sexual relations within and outside marriage, and the greater use and effectiveness of birth control techniques.

Setting the scene as it were, many sociologists and social anthropologists have noted that there are many societies which view pre-marital sexual relations with tolerance but none in which an illegitimate birth gets as much approval as a legitimate birth. It would seem that condemnation applies not primarily to illicit coitus as to illicit procreation. Some writers (Vincent 1961 and Christensen 1960) have pointed out that, where sexual intercourse before marriage and illegitimacy are both condemned, illegitimacy rates tend to be low, where the former is permitted and the latter condemned, rates tend to be high. Such changing attitudes towards sexual relations before marriage, are

only part of a different approach to sexuality and marriage in general. Today, sexual relations, it would appear are less concerned with procreation than with providing mutual satisfaction and support within the marital relationship; this contention may be supported from the more frank discussion of such matters in the modern mass media, and the great demand for and proliferation of marriage manuals much in evidence, in our society, in the last few decades. Marriage itself appears to be increasingly perceived as an emotional partnership, from which both spouses are entitled to receive high satisfactions, and from which either partner is justified in withdrawing if these expectations are not fulfilled.

Having set the scene, I now pose the question, with regard to unmarried mothers of illegitimate children, as to why preventative steps were not taken in the first place to prevent pregnancy, and why when pregnancy was confirmed the outcome was an illegitimate birth as opposed to an abortion or marriage. Needless to say, it is impossible to answer these questions and I can only speculate as to possible reasons. Still referring to the two younger age groups one notes that many of these girls who conceive out of wedlock, do in fact marry before the birth of the child. In 1965, 63,668 women in these two age groups conceived pre-maritally but had entered marriage before the birth of the baby, whilst 40,865 women went on to bear illegitimate infants. Why some conceptions result in marriage and legitimate children, and others in illegitimate children is an unknown quantity. Possible suggestions with regard to illegitimacy being the outcome, is that the partner was a married man, or a casual acquaintance or that an illegitimate baby was preferred to a hasty and ill-prepared marriage. Marriage of course was impossible for girls conceiving under 15 and for some 15 year olds but these illegitimate births contribute insignificantly to the total number of illegitimate births occurring to younger women. The proportion of mothers of illegitimate children who opt for a de facto union as opposed to marriage, in these two age groups, is also unknown.

Turning to the possibility of abortion as an alternative, prior to the 1967 Abortion Act which became operational in April 1968, the situation was that legal abortion could only be obtained, if it was deemed that a termination was the only way to preserve a woman's life, or to prevent serious injury to her health. The 1967 Act extended the grounds to include not only risk to life of the pregnant woman but to also include injury to the physical or mental health of the pregnant woman, or any existing children of her family, greater than if the pregnancy was terminated. Other grounds were also denoted by the Act but those just mentioned are the most relevant to the present discussion.

Thus prior to 1968 it was difficult for a woman to procure a legally induced abortion, admittedly illegal abortions possibly could and were obtained, but statistics relating to such are difficult to collect. The passing of this law, will at least permit the improvement of statistical data relating to abortion. Data available for 1969, indicates that of the 21,961 legally induced abortions to single women aged 15 and over, approximately 81% were to single women in the youngest two age groups. Further, statistics available on illegitimacy for 1969 indicate that the actual number of illegitimate births is less than the 1966 total and the ratio has in fact gone down from 85 per thousand live births in 1968 to 84 in 1969, which may be due, in part to this law coming into operation. It will be interesting to see if this decline continues in the 1970's.<sup>3</sup>

---

3. Statistics, just made available for 1970 indicate that the declining trend is still in evidence. Illegitimate live births declined in terms of actual number to 60,800 in 1970, a level lower than that of 1964, and that the ratio, when the final figures for total live births are made available, may be as low as 78 per thousand live births.

---

But with respect to the 1960's, it may be said that legally induced abortion was not a viable alternative for the single or unmarried pregnant woman.

As to the question, why preventative measures were not taken in the first place, one may speculate that this may at least be in part due to the lack of availability of a completely satisfactory contraceptive, which does not require persistent motivation or interfere with the spontaneity of sexual relations. The I.U.D., the only method which does not require persistent motivation or interfere with spontaneity, is believed to be unsuitable for never married women who have not borne children. The most effective method the oral pill requires persistent motivation and has also been the subject of much controversy about its possible adverse side-effects. Also the public arguments, which have taken place, about providing the pill for young unmarried women, and this also applies to abortion, shows how undecided and ambivalent in its attitude our society is.

Much of what has been implied or made explicit in relation to pre-marital illegitimacy, with especial reference to the youngest two age groups, is relevant to any unmarried woman in all the age groups, whether single, widowed or divorced, as well as to the women involved in extra-marital illegitimacy, the second broad category of illegitimacy.

#### Extra-marital Illegitimacy

Data available from the studies, indicate that upwards of 25% of the mothers of illegitimate children may be married, and some

of these may have previous legitimate or illegitimate children. By married, in this context, is meant women who are legally married but are separated from, or in the few instances that come to light still living with, their legal husbands. Such mothers may be involved with a putative father who is unmarried or married, in the first case violation of the norm of non-extra-marital procreation endangers one legitimate family, where the putative father is also married two legitimate families. These parents of illegitimate children may be debarred from marrying by the still existing marriage of one or both partners, and the same applies to an unmarried woman bearing a child to a man already married. Divorce Laws up to the Divorce Reform Act of 1969, operational from January 1971, still upheld the more traditional concept of marriage, and it was possible for one partner particularly the so called "innocent partner" to prevent divorce occurring for a long period of time. Even with the liberalisation of the Divorce Laws, divorce proceedings are still time consuming and expensive, which may lead some parents of illegitimate children to opt for consensual unions, in which illegitimate children or even illegitimate families may be born as well as legitimate children from previous marriages reared.

In studying extra-marital illegitimacy a starting point again must needs be marriage itself and the satisfactions, sexual and otherwise, expected and received in marriage. Extra-marital illegitimacy is in a sense a reflection of the breakdown of marriage and looked at from this perspective one is dealing with a real and difficult social problem of how to reconcile an apparently changing concept of marriage with personal satisfactions and the care of the young. Illegitimacy, in this context could be cut down to a lower level, if divorce was made even easier but legislation itself, however desirable, would not solve the pre-disposing sexual and marital problems.

Before concluding, I would like to destroy some myths that have surrounded the concept of illegitimacy, comment on subsequent legitimisation of children and then proffer tentatively, some panaceas.

One myth that this paper should have certainly broken is that illegitimacy is a unitary phenomenon occurring to young unmarried girls. Mass media tends to attribute the recent rise to increased teenage promiscuity, which is an obvious overstatement. Certainly teenagers contribute substantially to the absolute number of illegitimate births and the greatest increase since the 1950's has been to this age group. But the large teenage contribution, to especially pre-marital illegitimacy, must be set against the falling age of marriage, the increased probability of marriage and the fact that the 15-19 year olds constitute the largest proportion of unmarried women in the reproductive ages thus providing a large population at risk of bearing illegitimate children pre-maritally.

With regard to subsequent legitimisation of births once registered as illegitimate, which are akin to pre-marital conceptions, the 1959 Legitimacy Act extended the provision of legitimisation by subsequent marriage of the parents as provided by the Legitimacy Act of 1926, to the hitherto excluded cases of illegitimate persons whose father and or mother was married to a third person at the time of the birth. As the statistics show for 1960 (Table X) the 1959 Act led to substantial increases in the number of re-registrations, which perhaps provides another rough indicator of the prevalence of extra-marital illegitimacy in our society. Since 1960, re-registration continued to rise until 1967, but one does not know what proportion of these subsequent legitimisations are under the Law relating to 1926 or 1959, so no further inferences can be drawn. Also this period has experienced a marked increase in the number of illegitimate births which distort the picture further.

Suggested curatives for the illegitimacy phenomenon are: greater accessibility and availability of contraceptive information and methods to all whether married or unmarried, easier abortion and easier divorce. Perhaps the slogans of the Woman's Liberation Movement are not amiss in this context which ask for abortion and free contraceptives on demand. As yet our society's attitude towards contraception and abortion are ambivalent. The Law relating to abortion has been eased but it is still only permissible under a political compromise formula, which can hardly be regarded as stable. It leaves the decision to the medical profession because they are technically fitted to carry out the operation. But doctors' values are as ambivalent as society's at large.

A couple's decision to marry or not, if marriage is technically possible, must needs be influenced by the importance attached to marital status as such, compared to the expectations about the state of marriage and the stigma attached to illegitimacy. The institutions of marriage and illegitimacy are quite supplementary - you cannot have one without the other. As Crane-Brinton pointed out in his book, *French Revolutionary Legislation on Illegitimacy*, "in another world you may indeed separate the two institutions and eliminate one of them, either by having marriage so perfect - in various senses - that no one will ever commit fornication or adultery, or by having fornication so perfect that no one will ever commit marriage, but these are definitely other worlds".

To end on a less Utopian note; there is a need for more research into the illegitimacy phenomenon, in which the sub-categories of persons, situations and behaviours which are collected together under the general definition of illegitimacy are more clearly identified. An essential pre-requisite to this is better official vital statistics.



REFERENCES

- Registrar-General: Statistical Review for the years 1950, 1955, 1960, 1965 and 1968 Part II.
- Statistical Review Part III Commentary and Part I. 1964
- Statistical Reviews Part III 1963, 1965 and 1966
- Statistical Review 1969 Supplement on Abortion
- Quarterly Returns - December 1970
- General Register Office: Studies on Medical and Population Subjects. No. 19 Regional and Social Factors in Infant Mortality - 1966
- Annual Reports of the Registrar General of Scotland
- BENJAMIN, B. (1968) - Health and Vital Statistics
- CHRISTENSEN, H.T. (1960) - Cultural Relativism and pre-marital sex norms. American Sociological Review 25.
- DAVIS, K. - Illegitimacy and the Social Structure . American Journal of Sociology.. Sept. 1939.
- The Forms of Illegitimacy. Social Forces Oct. 1939.
- Divorce Reform Act 1969 H.M.S.O.
- GLASS, D.V. - Components of Natural Increase. Population Studies May 1970. "Towards a Population Policy for the U.K."
- GOLDSTEIN, S. (1967) - Premarital Pregnancy and Out of Wedlock Births in Denmark. Demography 4.
- GOODE, W.J. (1960) - Illegitimacy in the Caribbean Social Structure. American Sociological Review 25.
- (1961) - Illegitimacy Anomie and Cultural Penetration. American Sociological Review 26.

- GREENLAND, C. (1958) - Unmarried Parenthood. The Medical Officer XCIX.
- HARTLEY, S.M. (1966) - The amazing rise in illegitimacy in Great Britain. Social Forces 44.
- ILLSEY, R. - New Fashions in Illegitimacy. New Society, Nov.14th 1968.
- ILLSEY, R. and GILL, D. - Changing Trends in Illegitimacy. Social Science and Medicine, 1968 Vol. 2.
- KUMAR, J. - Demographic Analysis of Data on Illegitimate Births. Population Reprint Series from Social Biology Vol. 16, No. 2, 1969.
- McDONALD, E.K. (1956) - Follow-up of Illegitimate Children. Medical Officer 96.
- National Council for the Unmarried Mother and her Child - Annual Report 1959-60 and 1970.
- PEEL, J. and POTTS, M. - Demographic Aspects of Abortion in England. International Population Conference, London 1969 Vol. II - I.U.S.S.P.
- ROBERTS, R.W. (ed.) (1966) - The Unwed Mother.
- SCHOLFIELD, M. (1965) - Sexual Behaviour of Young People.
- THOMPSON, B. (1956) - Social Study of Illegitimate Maternities. British Journal of Preventative Social Medicine 10.
- VINCENT, C.E. (1961) - Unmarried Mothers,  
- Unmarried Fathers and the Mores, "Sexual Exploiter as an Ex-Post Facto Label" American Sociological Review 26.
- WIMPERTS, V. (1960) - The Unmarried Mother and her Child.
- Which? - Getting a Divorce. Consumers Association 1971.

TABLE I

ILLEGITIMACY RATES AND RATIOS FOR ENGLAND AND WALES  
FROM 1851 TO 1968 - WOMEN AGED 15-44 YEARS

PERIOD	RATE ‰	RATIO ‰
1851 - 1860	18.3	65
1861 - 1870	18.2	61
1871 - 1880	15.1	50
1881 - 1890	12.6	47
1891 - 1900	9.6	42
1901 - 1905	8.4	39
1906 - 1910	8.1	40
1911 - 1915	7.9	43
1916 - 1920	8.4	54
1921 - 1925	6.7	43
1926 - 1930	6.0	45
1931 - 1935	5.5	43
1936 - 1940	5.6	42
1941	7.4	54
1942	9.0	56
1943	10.9	64
1944	13.8	73
1945	16.1	93
1946	13.3	66
1947	12.4	53
1948	11.4	54
1949	10.4	51
1950	10.2	51
1951	9.8	48
1952	10.0	48
1953	10.2	47
1954	10.2	47
1955	10.3	47
1956	11.4	48
1957	12.1	48
1958	12.8	49
1959	13.5	51
1960	15.1	54
1961	16.5	60
1962	18.2	66
1963	19.0	69
1964	20.3	72
1965	21.2	77
1966	21.5	79
1967	22.6	84
1968	22.7	85

Source: Registrar General's Statistical Reviews  
Part II., Tables, Population

Can be  
re-done T1-4, 1968  
- same

FIGURE I

ILLEGITIMACY RATIOS: (Approximate births per thousand  
live births for women aged 15-44 years)  
ENGLAND AND WALES 1901-1969

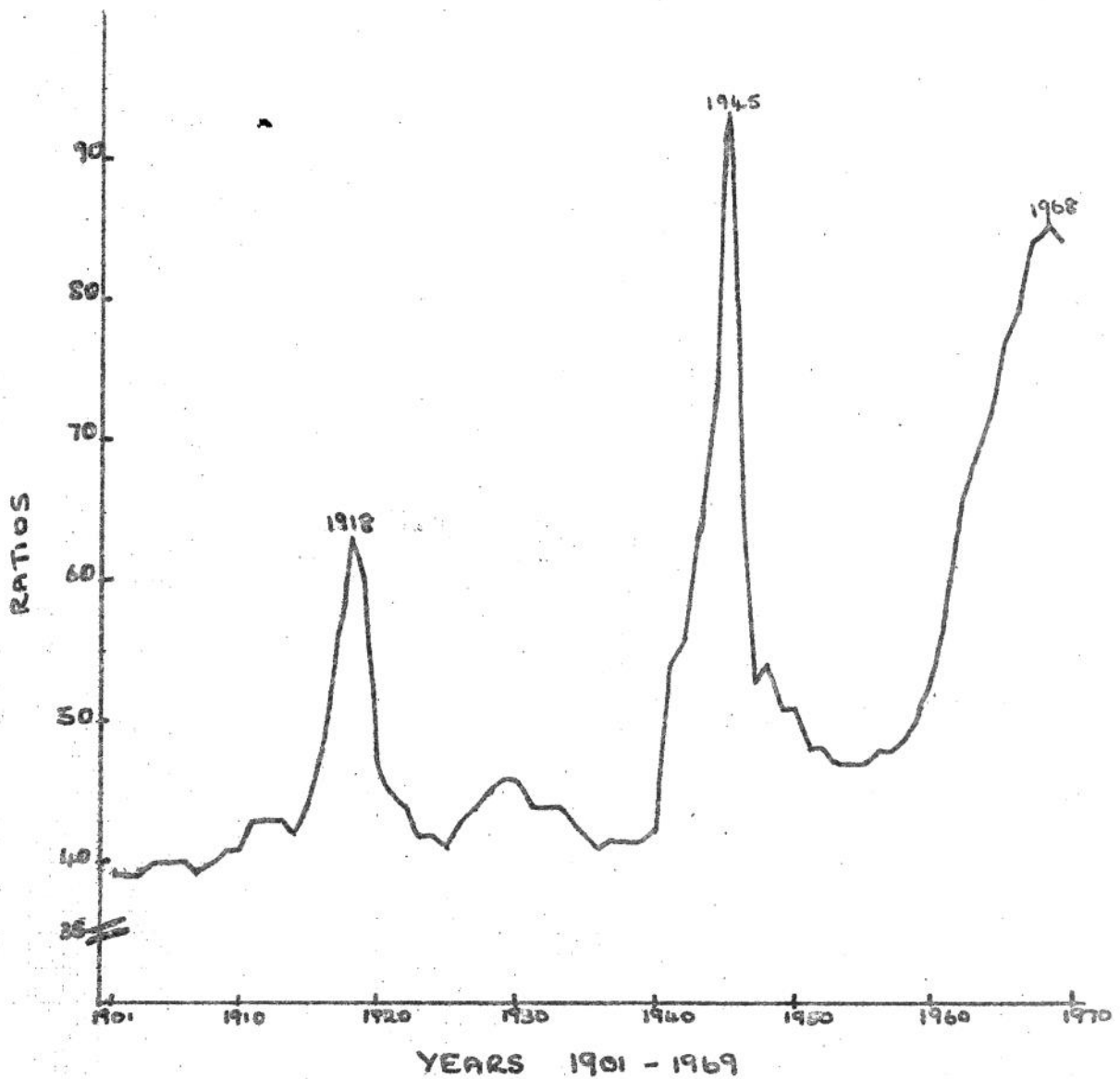


FIGURE II

ILLEGITIMACY RATES: (Estimated Rates per 1000 Single, Widowed and Divorced Women, aged 15-44 years)  
ENGLAND AND WALES 1901-1968

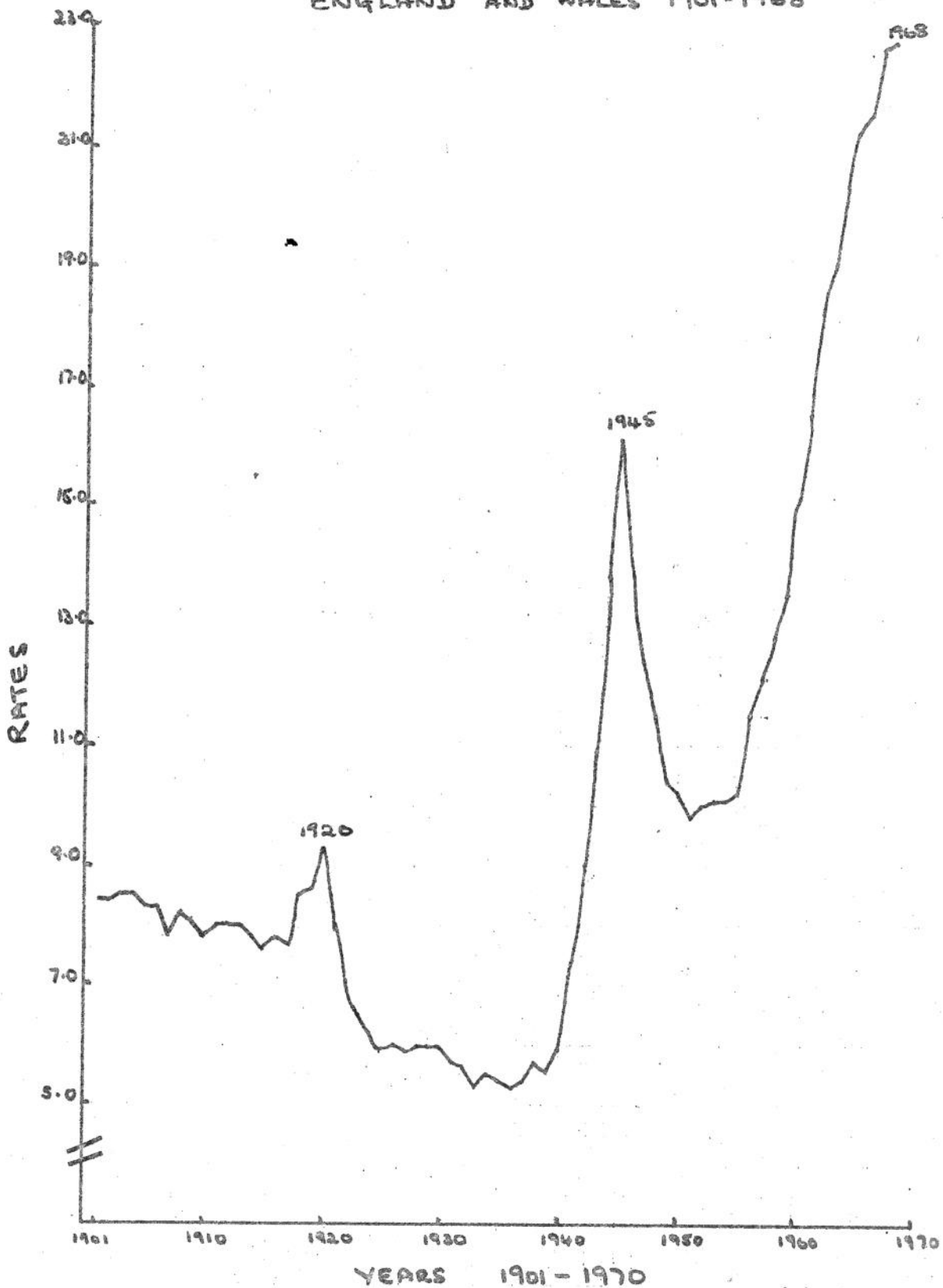


TABLE II A.

The proportion of females in marriage group of all females in the childbearing period 15-49 years for England and Wales: 1950, 1955, 1960 and 1965.

Age of Mother	YEAR			
	1950	1955	1960	1965
15-19	0.125	0.129	0.141	0.167
20-24	0.135	0.130	0.135	0.145
25-29	0.151	0.138	0.132	0.135
30-34	0.138	0.155	0.139	0.130
35-39	0.154	0.129	0.157	0.136
40-44	0.153	0.155	0.140	0.152
45-49	0.144	0.154	0.165	0.135

TABLE II B.

The proportion of total females in marriage group who are unmarried in the childbearing period 15-49 years for England and Wales: 1950, 1955, 1960 and 1965.

Age of Mother	YEAR			
	1950	1955	1960	1965
15-19	0.955	0.950	0.938	0.929
20-24	0.527	0.476	0.423	0.421
25-29	0.222	0.200	0.158	0.158
30-34	0.186	0.143	0.108	0.113
35-39	0.194	0.148	0.126	0.109
40-44	0.199	0.161	0.132	0.125
45-49	0.230	0.201	0.174	0.157

TABLE II C.

ILLEGITIMATE BIRTHS - per 1000 Single, Widowed  
and Divorced Women aged 15-49 years, by Age,  
for England and Wales, 1950, 1955, 1960 and 1965

AGE OF MOTHER	YEAR			
	1950	1955	1960	1965
TOTAL 15-49	9.29	9.24	13.72	19.95
TOTAL NUMBER	35,250	31,145	42,707	66,249
15 - 19	4.0	4.2	6.8	11.3
20 - 24	12.9	14.0	22.3	32.4
25 - 29	23.4	22.0	37.5	52.9
30 - 34	19.6	21.6	35.0	44.3
35 - 39	12.9	13.9	18.4	26.0
40 - 44	3.9	4.6	6.9	7.5
45 - 49	0.3	0.3	0.4	0.5
Standardised on 1950 age distribution.	9.29	9.6	14.4	21.0
Standardised on 1950 proportions single.	9.29	9.5	14.8	20.8
Standardised on 1950 age distribution and proportions single.	9.29	9.7	15.5	22.1

Tables II a, b, c. and Table V  
Computed from information derived from the  
appropriate Registrar General's Statistical Reviews Pt. II.

TABLE III

Illegitimate live births per 1000 live births, by age of mother, for England and Wales, 1950, 1955, 1960 and 1965

Age of mother at birth:	YEAR			
	1950	1955	1960	1965
Total 15-49	53.3	48.9	57.5	83.2
15-19	173.0	168	187	236
20-24	54.0	49	57	77
25-29	38.0	31	34	47
30-34	41.0	36	37	49
35-39	47.0	47	50	59
40-44	54.0	60	66	75
45-49	62.0	72	77	87

TABLE IV

Number of illegitimate births, by age of mother, for England and Wales, 1950, 1955, 1960 and 1965

Age of mother at birth:	YEAR			
	1950	1955	1960	1965
All ages	35,250	31,145	42,707	66,249
15-19	5,355	5,540 <sup>#1</sup>	9,688 <sup>#2</sup>	19,286 <sup>#3</sup>
20-24	10,237	9,376	13,675	21,599
25-29	8,721	6,601	8,362	12,338
30-34	5,625	5,173	5,629	7,123
35-39	3,882	3,103	3,882	4,219
40-44	1,322	1,255	1,363	1,565
45-49	108	97 <sup>#1</sup>	108 <sup>#2</sup>	119

#<sup>1</sup> Including 45 to girls under 15 years and 1 to a woman over 49 years

#<sup>2</sup> 109 to girls under 15 years and 1 to a woman over 49 years.

#<sup>3</sup> 195 to girls under 15 years.



TABLE V

The overall probability of giving birth to an illegitimate child, by a female (regardless of marital status) in the childbearing ages, given the age and marital status distribution of England and Wales, years 1950, 1955, 1960 and 1965

AGE OF MOTHER	YEAR			
	1950	1955	1960	1965
15-19	.000478	.000515	.000899	.001753
20-24	.000918	.000866	.001273	.001978
25-29	.000784	.000607	.000782	.001128
30-34	.000503	.000479	.000525	.000651
35-39	.000346	.000286	.000364	.000385
40-44	.000119	.000115	.000128	.000143
45-49	.000009	.000009	.000011	.000011
TOTAL	.003157	.002877	.003982	.006049

Source: same as Table II

TABLE VI

MARITAL STATUS AND PARITY OF WOMEN HAVING  
ILLEGITIMATE MATERNITIES IN ABERDEEN CITY, 1949-1952.

Marital Status	NUMBERS			PERCENTAGES		
	Primiparae	Multi-parae	Total	Primiparae	Multi-parae	Total
Single	273	124	397	91.0	43.9	68.2
Widowed or Divorced	7	37	44	2.3	13.1	7.6
Married	20	121	141	6.7	43.0	24.2
Total	300	282	582	100.0	100.0	100.0

Source: B. Trompson: Social Study of 9Pregnant Maternities  
B.A. J. Prev. Soc. Med. 10, 75, 1956.

TABLE VII

NUMBER OF MOTHERS GIVING BIRTH TO ILLEGITIMATE CHILDREN  
IN THE CITY OF LEICESTER 1949: BY AGE AND MARITAL STATUS  
AT THE TIME OF CONCEPTION:

MARITAL STATUS	Age in Years				Not Known	Total
	Under 20	20-9	30-9	40 or more		
Single	42	72	19	3	5	141
Married living with husband		5	3	1		9
Married living apart not legally separated		19	21	2	1	43
Living apart - legally separated		7	4	1		12
Widowed		2	10			12
Divorced		5	12	6		23
Not Known		1	1		23	25
Total	42	111	70	13	29	265

Source: E. K. Mc Donald. - "Follow-up of 9Pregnant Children" 1956.

TABLE VIII

RESULTS OF MATCHING<sup>a</sup> ILLEGITIMATE BIRTHS REGISTRATION  
WITH 1961 CENSUS RECORDS, ENGLAND AND WALES

(B) Age of mother

Marital condition	Age of mother (in years)					All matched births	Not matched births	Total in sample
	Under 20	20-	25-	30-	40 and over			
Births registered on sole information								
Total	175	188	70	70	11	514	135	649
Single	172	168	48	28	4	420		
Married	3	17	18	28	4	68		
Widowed	-	-	1	7	2	10		
Divorced	-	3	3	9	1	18		
Births registered on joint information								
Total	31	92	100	122	16	361	49	410
Single	23	48	33	25	4	133		
Married	6	37	58	75	6	182		
Widowed	-	-	-	6	-	6		
Divorced	-	7	11	16	6	40		
All forms of registrations								
Total	206	280	170	192	27	875	184	1,059
Single	195	216	81	53	8	553		
Married	11	54	74	101	10	250		
Widowed	-	-	1	13	2	16		
Divorced	-	10	14	25	7	56		

(C) Births registered on joint information only (matched births only)

Marital condition of mother	Total	Father present on census schedule	Father not present on census schedule	Enumerated in non-private household
Total	361	290	57	14
Single	133	89	35	9
Married	182	162 <sup>d</sup>	16	4
Widowed	6	5	1	-
Divorced	40	34	5	1

<sup>a</sup>A sample of illegitimate births which occurred during April 1961 was matched with the census records to ascertain the marital condition of the mother.

<sup>d</sup>Father "married" was stated in 95 cases and "not married" in 67 cases.

Source: Registrar General's Statistical Review 1964  
Pt. III Commentary.

TABLE IX a.

DEATHS OF INFANTS UNDER ONE YEAR OF AGE  
ENGLAND AND WALES:

YEAR	Deaths per 1000 of the total live births	Deaths per 1000 legitimately born	Deaths per 1000 illegitimately born
1940	57	55	82
1941	60	59	82
1942	51	49	75
1943	49	48	71
1944	45	44	69
1945	46	44	65
1946	43	42	60
1947	41	40	58
1948	34	33	45
1949	32	32	45
1950	30	29	39
1951	30	29	38
1952	28	27	35
1953	27	27	33
1954	25	25	32
1955	25	25	32
1956	24	23	29
1957	23	23	30
1958	23	22	28
1959	22	22	27
1960	22	22	26
1961	21	21	26
1962	22	21	27
1963	21	21	26
1964	20	19	26
1965	19	19	25
1966	19	19	25
1967	18	18	24
1968	18	18	23

Sources: Registrar General's Statistical Review E+W.  
Pt. I and Pt II.

TABLE IX b.

Infant Mortality, and rates per 1,000 live births distinguishing legitimacy by mother's age for England and Wales 1.4.64 to 31.3.65

MOTHER'S AGE	ILLEGITIMATE		LEGITIMATE	
	DEATHS	RATE	DEATHS	RATE
ALL AGES	1,701	28.5	13,755	17.5
Under 16	42	41.6	-	-
16-19	461	31.5	1,443	25.4
20-24	535	27.2	4,342	17.6
25-29	318	27.5	3,878	15.7
30-34	172	25.0	2,287	16.1
35-39	125	30.5	1,293	19.0
40-44	44	25.9	472	22.6
45+	4	50.0	40	36.7

Source: G.R.O. Studies on Medical and Population Subjects. No. 19.

TABLE IX c.

Mortality of illegitimate births with and without Joint Registration, England and Wales 1.4.64 to 31.3.65

Age of Mother in Years	Number of illegitimate live births in 10% sample	Percentage		Neonatal Mortality Rate per 1000 live births		Post-neonatal Mortality Rate per 1000 live births	
		With joint registration	Without joint registration	With joint registration	Without joint registration	With joint registration	Without joint registration
0-15	101	26	74	19.2	34.7	15.4	9.3
16-19	1,464	17	83	11.8	24.2	12.9	8.8
20-24	1,964	37	63	9.8	21.8	10.9	9.4
25-29	1,155	53	47	10.9	26.3	9.1	9.8
30-34	689	59	41	9.4	31.4	4.9	8.8
35-39	410	64	36	14.2	36.9	7.3	11.4
40-44	170	62	38	6.7	36.9	5.7	10.8
45+	8	75	25	-	50.0	33.3	50.0
All ages	5,961	40	60	10.6	25.2	9.1	9.3

Source - same as Table IX b.

TABLE X Illegitimate maternities and pre-maritally conceived legitimate maternities, 1938-1960; illegitimate live births and pre-maritally conceived legitimate live births, 1961-1968  
England and Wales

Year	Illegitimate maternities/ live births	Pre-maritally conceived legitimate maternities/ live births*†	Total maternities/live births conceived extra-maritally*		Percentage of extra- maritally conceived maternities/live- births legitimated by marriage of parents before birth of child
			Numbers	Percentage of all maternities/ live births	
Maternities					
1938	27,440	64,530	91,970	14.4	70.2
1939	26,569	60,346	86,915	13.8	69.4
1940-1944†	39,542	43,146	82,688	12.4	52.2
1945-1949†	49,466	52,557	102,023	13.0	51.5
1950	35,818	54,188	90,004	12.8	60.2
1951	33,444	50,477	83,921	12.3	60.1
1952	33,088	44,239	77,327	11.4	57.2
1953	33,083	43,988	77,071	11.2	57.1
1954	32,128	44,319	76,447	11.2	58.0
1955	31,649	43,601	75,250	11.1	57.9
1956	34,113	47,377	81,490	11.5	58.1
1957	35,098	48,611	83,709	11.5	58.1
1958	36,787	49,775	86,562	11.6	57.5
1959	38,792	50,871	89,663	11.9	56.7
1960	43,281	54,576	97,857	12.4	55.8
Live births					
1961	48,490	59,115	107,605	13.3	54.9
1962	55,376	62,455	117,831	14.0	53.0
1963	59,104	64,427	123,531	14.5	52.2
1964	63,340	67,933	131,273	15.0	51.7
1965	66,249	70,457	136,706	15.8	51.5
1966	67,056	71,648	138,704	16.3	51.7
1967	69,928	73,667	143,595	17.3	51.3
1968	69,806	74,531	144,337	17.6	51.6

\* From 1952 onwards the figures relate to women married once only.  
† Marriage durations under 8½ months up to 1951, under 8 months thereafter.  
‡ Annual averages.

TABLE XI

Re-registration of births of Repatriated persons;  
1950 - 1968

YEAR	TOTAL	YEAR	TOTAL
1950	2,784	1960	6,506
1951	2,596	1961	8,513
1952	2,588	1962	8,540
1953	2,369	1963	9,896
1954	2,558	1964	10,243
1955	2,635	1965	12,108
1956	2,561	1967	13,043
1957	2,511	1968	12,964
1958	2,636		
1959‡	2,905		

‡ Repatriation Act 1959; operational from 29/10/59

Source: Registrar General's Statistical Review 1968 P