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Unquiet Lives: Marriage and Marriage Breakdown in England, 1660?1800

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Historians of early modern marriage have made much use of court records in uncovering the matrimonial difficulties of our ancestors. Yet the exceptional, and sometimes sensational, nature of the cases brought to court, especially causes for separation brought to the ecclesiastical courts, begs the question of how far such materials provide a reliable insight into the meanings of matrimony or are typical experiences of marriage. Criticising Lawrence Stone's case studies of conjugal disharmony based on matrimonial litigation in the Court of Arches, Uncertain Unions: Marriage in England 1660?1753 (Oxford, 1992) and Broken Lives: Separation and Divorce in England, 1660?1857 (Oxford, 1993), Susan Amussen suggested that such records 'in no way represent people's expectations of behaviour in early modern society'.(1) But in a new survey of marriage and marriage breakdown in the long eighteenth century, Joanne Bailey presents a subtle and compelling method for re-evaluating court records and other materials as a means of uncovering 'the nature of married life itself'. (p. 7)

Using matrimonial and correction suits from the Durham, York and Oxford consistory courts, together with a variety of Quarter Sessions records and notices placed in newspapers by husbands refusing credit to their eloped wives, Bailey argues that we need to differentiate between the primary allegations of adultery, cruelty, and desertion upon which court cases were predicated, and a variety of 'secondary complaints' that

were made in the process of bringing matrimonial difficulties to light. Although the church courts took a rather limited view of marital problems, allowing separation suits to be pursued only on the grounds of adultery or cruelty (or a combination of the two), the statements of plaintiffs and defendants in these and other cases often made reference to various other sources of tension, such as disputes over household management, husbands' failure to provide for their wives or children, and wives' conveying away goods from the family home. It is the contention of this book that by analysing these secondary complaints alongside primary allegations of desertion, infidelity or marital violence we can learn much about men's and women's expectations of marriage and their understanding of household order and marital roles, in the process revealing concerns about affection and respect, the treatment of children and attitudes towards property ownership, consumption and material contributions to the household economy.

Bailey contends that historical approaches to marriage in this period tend take opposing 'optimistic' or 'pessimistic' perspectives. While pessimists tend to see spouses' experiences as oppositional and occupying separate spheres, more optimistic accounts view that marriage was in fact more mutual and complementary. However, this book offers a more integrated model of married life, incorporating both a more subtle appreciation of women's roles within marriage and the choices they made, and drawing inspiration from recent reappraisals of early modern masculinity that focus on the contingency of male power and authority. By examining a broader range of court materials related to marital problems than are normally used in studies of marriage, including prosecutions of deserted husbands under Poor Law and Vagrancy statutes, the use of recognizances to bind over violent husbands, and newspaper advertisements, Bailey is able to offer a wider, and more socially diverse, study of marital breakdown than previous analyses of the topic. The result is an important and insightful study of marriage in late seventeenth- and early eighteenth-century Britain.

Following an introductory analysis of how marital problems were resolved in this period, Bailey proceeds to examine in detail the multiple ways in which disputes about resources and property threatened to disrupt matrimonial harmony. Economic stability was a common goal of marriage. Married couples' ambition, argues Bailey, was to manage their households and economies efficiently ? crucial in an economy based on obligation where individual and household credit and creditworthiness were of the essence. It is evident that women evaluated their husbands by their ability to manage finances responsibly, and many complained about their spouses' failure to provide them with common necessities such as food, drink and apparel ? complaints that gathered more force by mentioning the deprivation suffered by their children. Yet while such complaints have been seen by some historians of eighteenth-century marriage as evidence of a gender division within the household that categorised men as providers and women as consumers, Bailey shows that in practice provision and consumption were more complex and varied. When the language of women's complaints is scrutinised more closely, it becomes apparent that women saw their husbands' role as contributing to the household economy, rather than being sole providers. Women's work and other economic contributions were important to the success of the household economy. As such, women were able to set up their own credit networks and establish a wider range of economic contacts than the law of agency, which was supposed to permit wives only to purchase basic necessities in their own right, allowed. Rather than refusing to sell goods to married women, retailers seem to have used their own judgement when selling goods on credit to wives.

Secondary complaints made in matrimonial disputes also shed light on husbands and wives' understandings of property ownership. Husbands' frequent complaints that their wives had removed property from the household may be viewed as evidence of the economic interdependency of spouses, since men complained that such loss of property cost them dearly. Marriage was one of the key means of transferring goods in the early modern period, and occasionally husbands imprisoned their wives in their own homes in order to compel them, or their families, to release more property. Men such as these demanded their right to the ownership of their wives' goods on marriage, yet the records of property disputes also show that sometimes distinctions were made between husbands' and wives' possessions. Such evidence reveals much about emotional attachment to goods and suggests that in spite of the legal restrictions on their possession of goods, married women retained a strong sense of personal property ownership.

Studying the household as an economic unit has implications for our understanding of power relations

within marriage. The balance of power within marriage was most at stake in cases of domestic violence. Of the 600 incidents of domestic violence examined by Bailey, the vast majority (92 per cent) were carried out by men. Complaints of women's violence against men were not unknown, and up to the middle of the eighteenth century were occasionally cited as causes of the disruption of households. Yet during the second half of the eighteenth century men found it less viable to claim that they had suffered at the hands of abusive wives. This, argues Bailey, had much to do with changing understandings of gender, which portrayed women as being by nature the more passive sex and men as aggressors. As a corollary, understandings of male domestic violence underwent change over the course of this period. While men's violence had long been categorised as 'barbarous' or inhumane, these accusations took on new meanings owing to developing concepts of sensibility. At the same time, the range of behaviour categorised as 'cruel' also seems to have widened as the eighteenth century wore on, reflecting the notion that men needed to be subjected to greater control in order to prevent violence.

Cultural shifts also affected perceptions of marital infidelity. Although the number of cases examined is fairly small, Bailey finds evidence in her sources to support notions of increasing sympathy for cuckolded husbands and a greater tendency to view adulterous wives as victims of male seducers, identified in studies of cultural representations of adultery. More original is her analysis of the factors underpinning wifely adultery, which examines women's infidelity outside the framework of the sexual double standard. Women's adultery, she argues, was viewed more as a matter of degree than the rigid terms of the double standard might imply. The harshest penalty faced by adulteresses was not necessarily damage to their reputation, which was founded on a wider range of attributes than chastity alone, or socio-economic ruin ? serious as such things might be ? but denial of access to her children. In over a quarter of cases, adultery took place after a couple had separated, while childlessness might have made affairs more viable for women. One of the strengths of this book is its awareness of how married life, and decisions affecting it, were influenced by parenting. Still more needs to be known about how far the presence of children impacted on infidelity. For example, were men's decisions about whether or not to have an affair influenced by a sense of their responsibility as fathers? Early eighteenth-century commentators sometimes saw fatherhood as something that ought to strengthen a man's ties of affection towards his wife, making his adultery more culpable.(2) Further analysis of this theme via the analysis of court records and other sources would be beneficial.

The book ends with an analysis of the little studied topic of life after the breakdown of marriage. Using court cases in which absent husbands were prosecuted for refusing to contribute to family maintenance, Bailey examines the experience of desertion. It is this material that is most suggestive of differing attitudes and experiences of matrimony according to class. Towards the lower reaches of the social scale, married life was much more transient and it is possible that men's sense of responsibility towards the upkeep of their wives and children may have been different among the poor compared to the middling ranks. Such questions deserve greater study in their own right and Bailey's work opens up interesting directions for future research.

This is a carefully researched book that enriches our understanding of marriage in the long eighteenth century. Much valuable data is provided in the statistical tables given in the book's thirty appendices that complement usefully the qualitative analysis in the main body of the book. Although the data in the appendices is not arranged in such a way that allows comparison between different jurisdictions or types of source material, the figures provide an interesting contrast with the data produced on marital breakdown in Lawrence Stone's Road to Divorce: England 1530?1987 (Oxford, 1990).

This is primarily a social and economic history of marriage, although the book does attempt to trace cultural changes and analyse the language of complaints. At times, this analysis might have been taken further. For instance, on page 30, Bailey lists a variety of contemporary phrases for marital difficulties with relatively little comment. A more thorough study of the changing vocabulary of marital problems, supported by a broader range of sources, might shed further light on changing sensibilities in this period.

The categorisation of historical perspectives on marriage as either optimistic or pessimistic provides a useful means of condensing historiographical debate. Nevertheless there are some aspects of the historiography of eighteenth-century marriage that receive relatively little attention in this book and might have been

developed further. More might have been said, for instance, about the supposed 'privatisation' of marriage and the family over the period 1660?1800. Some historians have argued that marriage disputes were increasingly seen as private concerns, acted out behind closed doors, thanks to a weakening of the political analogy between the family and the state and increasing concepts of 'privacy' and 'domesticity' among the middling sort and elite. While this trend may be difficult to measure, some of Bailey's evidence seems to suggest that we need to be careful about making generalisations about such a 'privatisation' of marriage in this period. Newspaper advertisements placed by husbands refusing credit to their eloped wives, provide evidence of the enduring 'publicity' of marriage disputes in the eighteenth century. The implications of these, potentially humiliating, announcements on perceptions of cuckoldry and male honour and reputation might repay further study.

There is evidently more to be written on eighteenth-century marriage. Joanne Bailey's Unquiet Lives bears witness to the healthy state of research in this area and provides much for future students of the subject to engage with.

Notes

1. Susan Dwyer Amussen, 'Approaching a new English social history, 1500?1850', Historical Journal, 38:3 (1995), 679?85, on p. 680.Back to (1)
2. On this see David M. Turner, Fashioning Adultery: Gender, Sex and Civility in England 1660?1740 (Cambridge, 2002), p. 59.Back to (2)

Dr Bailey would like to thank Dr Turner for his review, and is pleased to accept it without further comment.

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