

Stone, Lawrence. *The Family, Sex and Marriage in England 1500-1800*. Abridged Edition. New York: Harper Torchbooks, 1983.

Keep in mind stratification of society! (22-3; which is MF?) these shifts affected different sectors of society at different times; generalization—imposition of false schemas on chaotic experience

Affective individualism (22)

“the critical change is that from distance, deference and patriarchy to what I have chosen to call affective individualism. ... The four key features of the modern family—intensified affective bonding of the nuclear core at the expense of neighbors and kin; a strong sense of individual autonomy and the right to personal freedom in the pursuit of happiness; a weakening of the association of sexual pleasure with sin and guilt; and a growing desire for physical privacy—were all well established by 1750 in the key middle and upper sectors of English society.”

traditional society eroded “under pressures of church, state, and a market economy”—different values arose: interest of state, the individual, the claims of other organizations—“undermined allegiance by the kin” (29); kinship “more an association [among more elite classes] for the exchange of mutual economic benefits than a prime focus of emotional commitment; down line, “among the propertyless, the community of friends and neighbors was probably more important in both respects, especially in the urban environment” (29)—MF no family, no friends, no money...

Changing concept of the family (28ff); legal and moral subordination in the household; virtually no police force, making the household “most valuable institution for social control” (28); living-in servants a normal component of all but poorest households (28); MF herself a living-in servant

Privacy (245—in houses); honeymoon (223)

Names (sir/madam → first names; intimacy, mark of shift, 220))

Increased opposition to flogging, violent correction of wives/children; “domestic virtues” (246)

Laws governing marriage: custom/common, canon, little in the way of secular institutions; laws, both legal and common, were chaotic and contradictory until 1753, with Hardwicke’s marriage act; “transitional” (220)

Casual polygamy appears general to 11c; easy divorce (29); in early MA, marriage implied for laity “a private contract between two families concerning property exchange”; w/o property, “private contract between two individuals, enforced by community sense of right” (29); church ceremony a luxury, divorce by mutual consent/remarriage widely practiced

13c: church took control of marriage law to assert “at least the principle of monogamous indissoluble marriage, to define and prohibit incest, punish fornication and adultery, get bastards legally excluded from property inheritance” (30)

Before 1754, many ways to be get married (propertied/propertyless, distinction) (30)

1. Written legal contract between parents/financial arrangements
2. Spousals (“contract”)—exchange of formal promises
 - a. According to ecclesiastical law, spousals were legally binding; followed by cohabitation/consummation=married
 - b. Two forms: contract per verba de futuro; legally broken by mutual consent if consummation hadn’t occurred; otherwise, legally binding for life (31)
 - c. Contract per verba de praesenti/performative—irrevocable commitment that nullified church wedding, later
3. Public proclamation of banns
4. Wedding in church, public verification of mutual consent
 - a. Church wedding not sacrament until 1439, only in 1563 catholic church required priest’s presence; Anglican church different—continued to recognize spousals

Once married, valid and bound for life

Weddings heavily taxed in first half of 18c; Fleet weddings, Gretna Green (32)

Hardwicke’s marriage act: coherence and logic to laws governing marriage (32); only church weddings legally binding (not spousals); all church weddings had to be registered; 21 w/o consent—transferred authority to secular courts [full title of act: “An Act for the Better Preventing of Clandestine Marriage”]

Attitudes of propertied classes to Act (spousals, etc., could ruin good families); marriage now regarded as “a contract like any other, subject to statutory controls for the public good” (33); Act only possible under growing secularization of elite society (33). Bill meant to do away with secret marriages tjat ,ade bigamy too easy (33)

Divorce: For propertied: no divorce permitting remarriage in Anglican church, even in extreme cruelty or adultery (34); separation of bed and board=“divorce” (33); medieval conditions that could create nullity were blocked up by Act, making difficult for even very rich to get an annulment. After reformation, annulments granted only on three grounds (34); if a spouse not heard from for 7 years, could remarry (assumption of death)—but, if spouse returned, annulment itself nullified.. Divorce could only be given by private act of parliament—rare (34)

For propertyless: run away (35); or bigamy (35). “in the eighteenth century, more or less permanent desertion was also regarded as morally dissolving the marriage” (35). Wife sale (35)

Companionate marriage; “reassessment of power relations” (225)

Reasons for shift: traditional society eroded “under pressures of church, state, and a market economy”—different values arose: interest of state, the individual, the claims of other organizations—“undermined allegiance by the kin” (29); kinship “more an association [among more elite classes] for the exchange of mutual economic benefits than a prime focus of emotional commitment; down line, “among the propertyless, the community of friends and neighbors was probably more important in both respects, especially in the urban environment” (29)—MF no family, no friends, no money...

Greater freedom in **choosing** partners [MF's voice—yes/no]; needed to be more capable of choosing well; internal family cohesion needed now to maintain stability of the unit; fewer marriages arranged for economic purposes in later 18c; “erosion of outside supports” like neighborhood social ties (247); loss of identity with lineage—individual “an atomized unit without a past” in “the process of achieving his autonomy and self-fulfillment in the present” (economic individualism) (248)

- Greater equality under this shift
 - Women's education (228-30) – constitution of, purposes of (to educate children, to provide more companionate marriage); reading/novel (233)
 - Breastfeeding/sexual excitement→spoil milk, wet nurses (248)
 - Moll: educated with “mother” to needlework and sewing, among other things; could keep accounts; in Mayor/ess' family, educated with daughters, but not equal; Moll also kept her own memoirs, though fictionalized—the “editor” cleans them up, but she can read/write—references to Rochester
- but withdrawing of women from workforce and more unmarried/later age, if at all—among both women and men
- also, “shift of motives for marriage from the concrete ones of power, status, and money to the imponderable one of affection probably worked to the benefit more of men than of women” (249)—new courtship rituals, new gender lines; “successful marriage...[still] depended on the docility and adaptability of the woman” (249); discontent among women in 18c—ideal of greater equality/education didn't really come to fruition, women's work taken away and confined to home; greater emotional/sexual freedom among elite women in late 17c gave rise to overt misogyny (250)

Younger/elder sons among the landed gentry and nobility (242); male education (250)—separation of spheres

“the market is against our sex just now” —sex ratio 13:10 at end of 17c (243)