

BOOK REVIEW

UNCERTAIN UNIONS AND BROKEN LIVES

Marriage and Divorce in England

LAWRENCE STONE

Oxford University Press, Oxford and New York, (1995) xvii+627 pp.
(Oxford Paperbacks, £11.99 in the UK). ISBN 0 19 285308 2

A Review by Jon Davies, Senior Lecturer and Head of Religious Studies
at the University of Newcastle upon Tyne.

This lengthy volume is in fact two volumes of archival data on which the author drew for his earlier *Road to Divorce: England 1530–1987* (OUP, 1990). *Uncertain Unions* was published separately by OUP in 1992. *Broken Lives* is new.

In addition to the data, which themselves derive primarily from the records of the Court of Arches, the book contains a short (50 page) *Introduction* which summarises the 1990 volume. This *Introduction* (Stone tells us on page 3) can be omitted by those who have read *Road to Divorce*: and the Reader can proceed directly to a series of legal cases covering courtship, marriage contracts, forced marriages, clandestine marriages, bigamous marriages, battered wives, marital cruelty, impotence, adultery, child abuse, divorce—‘intimate and revealing accounts’, as the front cover tells us, ‘of marriage and divorce in England’. We have the quarrelsome Lord and Lady Westmeath, arguing about sex and contraception, and everything else; or servants in the Loveden household desperately trying to prevent an older husband finding out about his wife’s adultery with a family friend; or the Prime Minister of England, Lord Grafton, trying to juggle a demanding mistress, an angry wife, and the country.

An immediate qualification of the claim that the book is about ‘marriage and divorce in England’ (i.e. that it is about such behaviour amongst the rich and propertied classes of England) is no diminishment of the horrible fascination of these stories. The book is about those marital combatants rich enough to go to law: and the legal system then as now exhibits a capacity to publicise the picaresque, the pornographic and the squalid. The sheer villainy and duplicity and ‘still sad music’ of men and women trying to get out of marriage in a culture massively opposed to divorce is perhaps paralleled only by behaviour in a culture so zealous for divorce as to be indifferent to the consequences of it.

Stone’s ‘cases’ are the stuff of fiction and the tabloid press. Indeed, the book’s themes of ‘the endless conflict between money, love and “sincere affection”’, Stone himself tells us, could just as well be found in the pages of Daniel Defoe’s *Moll Flanders* (p. 34). On page 33 Stone sadly concludes: ‘The marriage law as it operated in practice in England from the fourteenth to the nineteenth century was a mess.’ As Stone thinks that we are now back in a similar situation (p. 15), then it would appear that only for the first sixty years of *this* century have our marriage laws been in good shape!

When seeking to comprehend Lawrence Stone’s presentation of a five hundred year long ‘mess’, readers and reviewers have to take into account the rather odd state of the academic debate on ‘The role of the family’ in the evolution of western capitalist society. Stone, who together with his wife is one of the leading scholars in this field, seems determined to ignore or ‘talk past’ the issues raised by other leading scholars, in particular Peter Laslett (*Household and Family in Past Time*, 1972) and Alan Macfarlane (*The Origins of English Individualism*, Blackwell 1978).

I can find reference to neither of these authors in either text or index of the volume under review: nor for that matter in the 1990 companion volume *Road to Divorce*. Laslett and Macfarlane, each in his own way, provide solid ground for thinking that the whole thing wasn't simply a five hundred year long 'mess', but that in the story of law, economy and the family over that period, and perhaps even much earlier, English society was characterised by an ascription to one ideal form of family life, the nuclear family, firmly legitimated by the Church; and that this structured form of union between the sexes and the generations is precisely what made for that hugely successful human experiment in economic growth and political stability our society experienced over those centuries.

Laslett and Macfarlane may be wrong, although the French writer Immanuel Todd (*The Explanation of Ideology: Family Structures and Social System*, Blackwell, 1985) provides a powerful reinforcement for the view that 'the mess', if mess it was, had and has an underlying routine and logic: and that the nuclear family in particular is indeed the necessary domestic accompaniment (or, with Macfarlane, progenitor) of individualism, private property, and the growth of capitalism and markets.

In making these arguments, Macfarlane deploys a wider view of 'family law' than does Stone, while Laslett and his colleagues at Cambridge employ demographic and statistical techniques which get them rather closer to the lives of 'ordinary people' than do Stone's techniques. With Todd, Laslett and Macfarlane develop powerful arguments on the relationship between family structure and the processes of modernism. These arguments are not without relevance for 'third' and 'fourth worlds' clearly determined to find for themselves the secret of economic growth and the elimination of poverty.

It is surely not too much to ask that Stone, humane, scholarly and clearly concerned for the mess we are surely in *now*, should at least address these issues at some point in his series of long and fascinating books. This is not so much an expression of criticism as one of disappointment. Stone is too important an author in this field of inquiry to simply ignore his fellow-scholars. He provides, in this as in his other books, a rich and colourful picture—on one section of the canvas.