



Wives for Sale. An Ethnographic Study of British Popular Divorce

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common people in an era of social change and uprooting to cling to old patterns of collective life and recreation, or to forge new ones. Earliest in date, and an appropriate curtain-raiser, is a study by Keith Wrightson of the village ale-houses of the seventeenth century. From soon after 1600 they incurred stiffening Puritan censure, and were increasingly liable to be prosecuted as dens of disorder. Villagers of the more prosperous sort joined in this disapproval, and deepening social division hastened their degradation. Two essays have religious themes, though very diverse ones. Arnold Rattenbury's account of Methodism is unprepossessingly written, but takes a fresh view by concentrating on the early, pre-industrial period. Wesley's gospel was addressed to disoriented multitudes expelled from their familiar village life by the enclosures, and pitchforked into a cold wide world; Methodism gave them, above all, a substitute community, a new coming together in which every individual could find some purposeful activity. Vic Gammon is concerned with groups who remained in the villages and found a corner for self-expression within the old Church, by manning its choirs and bands. While so many of the clergy were absentees, they had a free run, but the time came when they were objected to as untrained and inadequate: also, clearly, because they were too independent of authority. During the 1840s and 1850s they were being disciplined or got rid of and replaced by organs, sometimes after much dogged, even violent, resistance. Two other articles show traditional modes of merrymaking suppressed or transformed. Anthony Delves describes the banning of the annual mass football match in the streets of Derby, partly because Chartism inspired fear of any mass gatherings. Alun Howkins writes of the Whitsun celebrations in Oxfordshire, giving way by degrees to more decorous games and sports. The old 'Ales' had been 'a quasi-magical intervention in the process of growth and fertility', anachronistic now that scientific farming was coming in (p. 192), and the abandonment of drunken carousals was welcomed by sensible labourers as well as by their betters. Penelope Summerfield on the London music-halls, and T. G. Ashplant on London working-men's clubs, both show popular institutions denatured, not in this case by upper-class opposition but by financial costs, as premises and amusements grew more elaborate. Music-halls were taken over by profit-seeking businessmen, with £5m reportedly invested in them by 1913. Three essays taking more general views of the subject are by the editors. They pay tribute to 'the social creativity of working people', their determined efforts to make a life and culture for themselves in spite of daunting difficulties (p. 155). In the course of all this they were gaining, more than anything else perhaps, 'the experience of democracy', the habit of taking an active part in the management of their own affairs (p. 171).

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Not only were the English known as a nation of shop-keepers but also, as *Notes and Queries* (1857) sadly admitted, 'a nation of wife-sellers'. Samuel Pyeatt Menefee's *Wives for Sale. An Ethnographic Study of British Popular Divorce* (Oxford: Basil Blackwell, 1981. £15) shows how inter-connected were these two characteristics. In the buying, selling, hiring and firing of

animals, servants, apprentices, soldiers and wives, the ethics and rituals of the market-place entered human relationships. In wife-selling, wives were led to the market-place with a halter round their necks, auctioned before a noisy crowd, and 'bought' by new husbands for a few pence. The transactions were sealed by drinks in nearby alehouses. By searching ballads, broadsides, chapbooks, newspapers and the printed records of church and civil courts the author has assembled over four hundred cases of such sales. The large majority occurred between 1785 and 1845, almost exclusively in England, and they lingered on longest in the north. As disapproval grew in the later eighteenth century the sales became restricted to the poor and vulnerable. The sellers were characteristically older than their wives and often drunken and bullying. The wives clearly found the humiliation of the ritual acceptable in order to escape to a new 'husband' who had already been pre-arranged. The law and the Church were confused by the situation. For centuries there had been inconsistencies caused by clashes between the canon and common law. Hence marriages could be illegal and yet valid, children both born out of wedlock and yet legitimate. Now a new confusion was exposed, for it was not clear whether a divorce or a marriage was taking place. The logic of contractual marriage was taken to its conclusion. Prosecutions for bigamy occurred, yet many of the population regarded the sales as both legal and moral. The author correctly describes the book as a 'descriptive ethnography of an informal institution'. It is indeed largely descriptive and there is little attempt to solve the central problem of why the institution developed and why it fell. The author clearly shows that there is no direct connection with the availability of divorce, but is then left talking vaguely of a general decline of community controls and a weakening of the church's authority in the eighteenth century as the main causes. Given the pressure to dissolve and recreate marriage and the loopholes in the law, he shows why the rituals should have taken the form they did. In the absence of any adequate general survey of the nature of marriage through these centuries, it is not surprising that he cannot explain the phenomenon. The best account we have is still G. E. Howard's *History of Matrimonial Institutions* (1904) written so long ago that the author does not cite it. A central problem concerns the definition of a wife-sale. If we use a very broad approach, then we get Mr Menefee's cases possibly dating back to the Anglo-Saxons. If we examine the cases more carefully, however, many of the earlier ones look entirely different from those of the eighteenth century. For example, a case is referred to and listed from the archdeaconry of Essex in 1585. Yet if we look up the source, Hale's *Precedents and Proceedings in Criminal Causes* (p. 186), we find someone allegedly selling a right in a contract of marriage or betrothal. This is very different. I suspect that most of the early cases would evaporate like this. From a study of many sixteenth- and seventeenth-century sources I am convinced that there was no such 'institution' then, though there might be the odd rare case. Thus it is not surprising that the first edition of Blackstone does not, as the author points out, consider the institution. What happened in the early eighteenth century to encourage it? This is a well-written book, treating with ironic humour some very delicate and painful topics. It is in the honoured tradition of Clodd, Frazer, Lang, Nutt and the British school of folklore. Some historians may consequently find it discursive or even rambling. Yet it is indeed a mine of anecdotes and

illustrations on alehouses, drinking, fairs, markets and social relationships. By choosing this curious topic, we do indeed have glimpses into that 'detailed domestic history' (Place) which the author wishes to investigate.

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Political legitimacy is a difficult commodity to export, even when crowns are engaged in founding colonies. Kenneth Lockridge's three lectures, *Settlement and Unsettlement in Early America. The crisis of political legitimacy before the revolution* (Cambridge: U.P., 1981. £9.50), which range freely over Britain's North American colonies, seem more preoccupied with the absence of legitimacy than with its identifiable presence. If that is the nature of the 'crisis' it is one with rather vague outlines in space and chronology. In keeping with much of Professor Lockridge's work, this brief book is concerned almost entirely with the sociological conditions of legitimacy. Divine right, the constitution, the common law, the Glorious Revolution, Blackstone's *Commentaries*, even the Crown as a secular institution – all these constitute a veritable pack of dogs not barking in the night-time. Instead, two broad principles are described: a tradition of localism, often associated with forms of piety; and a social convention of hierarchy based partly on formal style but mainly, one assumes, on property. This dichotomy is not without value, if it is also not without difficulties of specific application. Localism has obvious problems as an authorized base for legitimacy much beyond the sphere of local government. Lockridge's argument requires us to believe that Bacon's rebellion, the Salem witch episode, the Great Awakening and the Paxton march are all capable of assimilation to the concept of 'localism', which at the best is true only at the descriptive level, and hardly assists in explaining what was actually going on to cause any of these events. Mention of the Paxton boys, for example, introduces Pennsylvania into the argument at the cost of entirely overlooking the bitter province-wide struggle between the Quaker and Proprietary parties, which was where the real contemporary issue of legitimacy was being fought out. The author appears to have stepped into the familiar trap of using a local incident to illustrate a theme, without showing how the theme helps to explain the incident. Lockridge has little difficulty – and affords some entertainment – in demonstrating the fallibility of attempts to establish an acceptable basis for legitimacy in the seventeenth-century South. He gives a lively account of Berkeley's methods in building up some sort of social respect for his planter class out of the most unpromising materials. But he seems to me to beg the question when it comes to explaining the more solid basis on which legitimacy appears to have been established in the eighteenth century. He does reach the nicely epigrammatic conclusion that Virginia offered an ideology of hierarchy without an environment to sustain it, while New England offered localism without an environment. All this leaves formidable problems for the fairly stable and generally accepted social and political order that did exist in these regions, and worse still for the Americans of the Revolution and the new Republic. Brevity, lucidity and lightness of touch are qualities which the reader will appreciate in turning