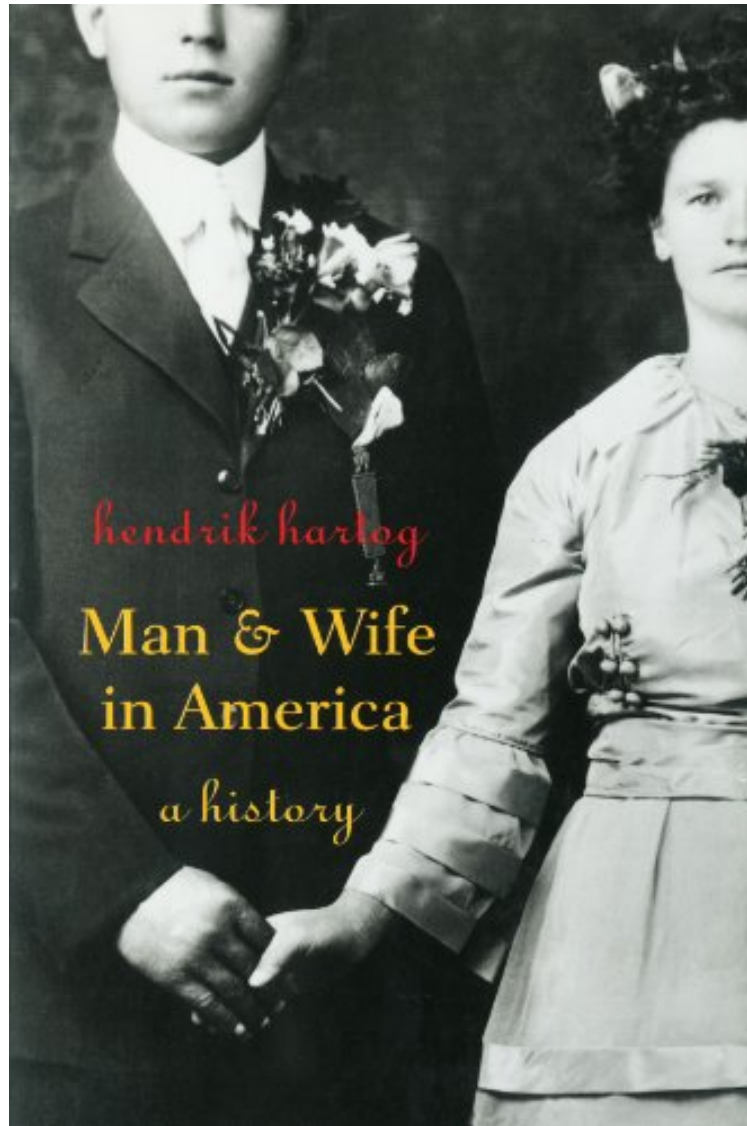


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Man and Wife in America: A History

Hendrik Hartog

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Hendrik Hartog : Man and Wife in America: A History before purchasing it in order to gage whether or not it would be worth my time, and all praised Man and Wife in America: A History:

0 of 0 people found the following review helpful. Elliepresents.comBy Ellie PresentsOne of my go-to reference books. I portray Mamah Bouton Borthwick, the woman for whom Frank Lloyd Wright left his family. This book has for years been a source of explanations for my audiences. The way it expertly spells out the evolution of the laws in the various American states is unsurpassed. A first rate reference!Ellie Presents in Chicago22 of 22 people found the following

review helpful. *The Way They Were* By Panopticonman With numerous deftly chosen stories of husbands and wives and their contact and experience of the law from the Colonial Era to the present, Hartog describes the slow development of our modern conception of individual rights. This is for the most part the story of wives' evolution from the state of coverture (where the husband was sovereign) to that of an equal partnership of two individuals. Along the way, Hartog develops some striking insights such as his conception of frontier states competing in a "divorce market" for divorcing couples in order to draw potential settlers to their states. Other states, such as California, wrote liberal laws that promised equal treatment for wives as a way to entice women settlers to there -- a kind of rights marketplace. His great achievement is to evoke over the course of U.S. history, the changing expectations and the responsibilities of husbands and wives as to what constitutes a proper marriage. At the same time, he discusses societal ideals embedded in the law, and the pragmatic judges who refashioned those ideals to better reflect the evolving relationships of husbands and wives. He shows that the institution of marriage, ostensibly the most intimate and private and natural of all personal relationships, has close and obtrusive links to conceptions of public governance and individual rights. Too, he shows that the two "institutions," which seem so different from one another -- marriage, (private and personal), as compared to the state (public and bureaucratic) -- modify and reinforce each other through the agency of the judiciary. Thoughtful, illuminating, substantial, this is a long pleasant walk through the past with a very engaging, studious and knowledgeable, but never pedantic, friend.

In nineteenth-century America, the law insisted that marriage was a permanent relationship defined by the husband's authority and the wife's dependence. Yet at the same time the law created the means to escape that relationship. How was this possible? And how did wives and husbands experience marriage within that legal regime? These are the complexities that Hendrik Hartog plumbs in a study of the powers of law and its limits. Exploring a century and a half of marriage through stories of struggle and conflict mined from case records, Hartog shatters the myth of a golden age of stable marriage. He describes the myriad ways the law shaped and defined marital relations and spousal identities, and how individuals manipulated and reshaped the rules of the American states to fit their needs. We witness a compelling cast of characters: wives who attempted to leave abusive husbands, women who manipulated their marital status for personal advantage, accidental and intentional bigamists, men who killed their wives' lovers, couples who insisted on divorce in a legal culture that denied them that right. As we watch and listen to these men and women, enmeshed in law and escaping from marriages, we catch reflected images both of ourselves and our parents, of our desires and our anxieties about marriage. Hartog shows how our own conflicts and confusions about marital roles and identities are rooted in the history of marriage and the legal struggles that defined and transformed it.

From Library Journal When spouses went to court in 19th-century America, the courts were not, as some would have it, instruments of a hegemonic "covert political theory." Instead, according to Princeton's Hartog, judges improvised with the materials of law to address the conflicts of particular husbands and wives separated or at odds thanks to "strangers, seductions, abuse, and neglect." As society changed, so did the law, and the concept of coverture, whereby a wife's legal identity was "covered over" by that of her husband, gave way to a more expansive view of a woman's rights. Mining more than a century of case records, Hartog (*Public Property and Private Power*) has written a book that will be an essential purchase for upper-level academic collections in legal or gender history. --Robert F. Nardini, Chichester, NH Copyright 2000 Reed Business Information, Inc. From Booklist Hartog, a history and law professor, examines the most basic social institution from a legal standpoint. He reviews important, precedent-setting cases that have formed American law on marriage and also examines the social context that produced the laws. Marital law has been set primarily by the states, influenced by custom and religion, and, during the period of territorial expansion, attracting population. California's community property law, for example, started as an effort to attract white women out west during the gold rush period when women were scarce. Hartog examines periods when women and children were considered the property of the husband, when a man could blithely move from state to state and remarry with little legal consequence because the wife was subject to the law where the husband resided, not where she herself resided. Hartog charts the changes in law from the time when a woman's legal identity derived from her husband to no-fault divorces and economic and social (e.g., feminism) trends in this interesting look at the legal institution of marriage. Vanessa Bush Hendrik Hartog offers a revealing history of marital and legal struggles. The fascinating case histories scattered throughout personalize [his] larger legal and social points. (Carolyn Alessio Chicago Tribune) In addressing the history of marriage and divorce in America, Hendrik Hartog...[has] raised the bar for legal historians to dizzying heights...*Man and Wife in America* asks how nineteenth-century law shaped men and women's understanding of the meaning of marriage and their self-identities as husbands and wives...Hartog's focus, however, is on separation--a limbo between marriage and divorce--as a starting place to explore the law of marriage...[He] offers a more complicated, less-easily categorized, narrative. (Felice Batlan H-Net) Hartog, a history and law professor, examines the most basic social institution from a legal standpoint. He reviews important, precedent-setting cases that have formed American law on marriage and also examines the social context that produced the laws...Hartog charts the changes in law from the time when a woman's legal identity derived from her husband to no-fault divorces and

economic and social (e.g., feminism) trends in this interesting look at the legal institution of marriage. (Vanessa Bush Booklist) Mining more than a century of case records, Hartog has written a book that will be an essential purchase for upper-level academic collections in legal or gender history. (Robert F. Nardini Library Journal) *Man and Wife in America* is a truly wonderful work. No one knows this subject as well as Hartog, and probably no one ever will. The result is a uniquely large and valuable contribution. One learns a great deal about cultural values, class relations, and gender, while meeting a host of striking characters. All in all, a magnificent achievement! (John Demos, author of *The Unredeemed Captive: A Family Story From Early America*) Hendrik Hartog is one of our most subtle and insightful legal historians, and a master storyteller. *Man and Wife in America* argues a stunningly original view of the meanings of marriage in the 19th century. A work of history that reads like a novel. (Linda Gordon, author of *The Great Arizona Orphan Abduction*) No one has done more than Hendrik Hartog to illuminate what it meant to be a husband or a wife in the nineteenth century. Wearing his immense and unique knowledge lightly, he ventures imaginatively into case after poignant case of marital escapade and contest, and makes this vivid landscape of struggling couples all the more meaningful for the present by revealing how the presence of law creeps into the most intimate corners of lives. (Nancy Cott, author of *Public Vows: A Political History of Marriage in the United States*) Hartog illuminates the deep puzzles of the law of marriage, which effects more people, more profoundly, than any other field of law. Wise, imaginative, and learned, *Man and Wife in America* brings to life the marital conflicts and struggles that prompted judges to improvise solutions for unhappy spouses. Resolving mysteries about law's practices, this book reveals the deeper mysteries of humans' intimate connections. (Martha Minow, Harvard Law School) Hartog gives the tangled subject of broken marriages a rich and instructive history. Through fascinating tales about men and women whose failed marriages led them to the law, he makes a major contribution to our understanding of American culture, past and present. *Man and Wife in America* is a compelling and important achievement that deserves a wide readership. (Michael Grossberg, Editor *American Historical*) Henrik Hartog's book is particularly relevant in an era when debate over gay marriage is front-page news. The issues raised by this debate--the rights, responsibilities, and expectations of what marriage is and can do for individuals as well as constraints imposed by the marriage contract- are at the heart of the book, even though it is focused on traditional male/female marriages from the late eighteenth century to the 1950s. The volume is a very readable, well-written addition to the literature on legal history, family history, and women's history. Hartog's emphasis on the social and cultural context of changing marriage law is refreshing whether one agrees that women frequently benefited from coverture (sic) and traditional notions about marriage or not. [T]his book will bring the legal history of marriage to a larger audience of non-specialist academics and students. (Altina Waller *American Historical* 2004-06-01) This is a bold and provocative book, and although its principal themes are not novel, the idiosyncratic way in which Hartog develops them is. The boundlessness of Hartog's research design together with the vastness of his chronological sweep would pose a serious problem in less able hands. For Hartog, however, both the boundlessness and vastness are part of his method. His frank denial of system in his scholarship with its echoes of postmodernism coincides nicely with one of his principle points: the untidy and indeterminate nature of American marriage law. Hartog's effort to recast the story of marriage law by underscoring its exceptions and complications is both interesting and important and is rendered with verve and imagination. The book is provocative and engaging; it should attract students as well as scholars; and it should become an integral part of scholarly discourse on Anglo-American marriage law and its long and controversial history. (Norma Basch *s in American History*) By locating and exploring the legal boundaries of marital behavior, however, Hartog is also able to say much about the social and economic context of marriage. Further, Hartog writes with great clarity and directness. The net result is that he has made a major contribution to the history of the American family with a book that, besides its scholarly excellence, is highly accessible to general readers. (R. B. Lyman Jr. CHOICE)