UNIT 35 KINSHIP PATTERN AND FAMILY STRUCTURE

Structure

35.1 INTRODUCTION

The microcosm of social organisation is the family. It is within the structure of family that human beings love, mate and reproduce themselves. Society itself is an aggregate of basic families. Despite the biological and emotional foundation of family life, the institution is enmeshed in a number of social ties. Filiation is a basic concept used by anthropologists. The term refers to the social recognition of relationships between parents and children. Family does not form a closed world. It is not merely meant for procreation and care of children. It is in the realm of family that interaction between nature (biological reproduction) and culture takes place. Family transmits material and symbolic resources from one generation to the next, thus reproducing social structures. Each society, based on its demography, economy and cultural religious beliefs stamp its own characteristics on the family. The social history of family and kinship pattern may, therefore, reveal much about the slow, imperceptible changes over a longer duration of history.

In this Unit we will focus on kinship pattern and family structure in medieval Europe. By the end of middle ages the clans gave way to family as an important institution of society. The transition in families and kinship pattern will be analysed in late medieval Europe. You would notice that there was a wide range of variation along regional and community lines in the organisation of family and kinship pattern. The church laid down rules regulating the marriages and forbade certain marriages between relatives. The purpose of marriage, in the eyes of the church, was to have children. However, the protestants, though agreeing with the emphasis on procreation, recognised the sexual act also as legitimate. However, both Catholics and Protestants rejected and disapproved abortion and contraception. The responsibility of parents in educating children and providing them with skills for livelihood was also emphasised. The laws governing inheritance were largely in favour of males but females were also given due consideration. At times the civil courts and church had some

disagreements over laws governing marriage, its dissolution and inheritance. During 16th to 18th centuries church increased their tight control over family. What is significant to note is that both state and church used the family as their instrument for moralising the social life and behaviour patterns.

35.2   TRANSITION IN FAMILIES AND KINSHIP PATTERN IN LATE MEDIEVAL EUROPE

A number of wars and violence associated with them shook the monarchies and feudal nobility between thirteenth and fifteenth centuries. Economies were also rocked. The Great epidemics especially the Black Death of 1347-48 also disrupted the social stability. The bubonic and pulmonary plague remained endemic until the fifteenth century. The trade and commerce declined resulting in a major shift in the economic geography of the West. The industrial and commercial development of Flanders and England overtook the Mediterranean region. In this period of turmoil and social disruption, the family offered some sort of tranquillity and balance. The historians of family in Europe have long ago discarded the general impression that the family progressed steadily from the extended model of the early Middle Ages to the nuclear family of modern, industrial period.

Some historians have argued that family and kinship relationships were strengthened and consolidated as a result of 'linear re-grouping' or expanding solidarity of lineage based on blood-relations. This was result of a decline in population caused by the Black Death and recurrence of epidemics. The demographic crisis caused by high mortality strengthened the extended family. The extended family could use its resources to occupy new territory, gather capital and manipulate useful political connections to build up a power base for itself. Although actual clan had become non-existent by the end of the Middle Ages except in the Celtic areas of Britain, the lineage remained well-entrenched and was widely identified with power, wealth and honour. Solidarity among blood-relations and marriage alliances forged a bond among the aristocracy and its rival, the urban patriciate. They tended to band together for seeking revenge against enemy of the family or for fighting law-suits. Such solidarity was never complete within the aristocratic families. There was bitter rivalry and hatred between near relations and even within family circle. The lineage was at its most efficient when engaged in collective vengeance. The family, however, could also express its solidarity by forming a sort of mutual assistance society in which case it also helped poorer relatives.

On the other hand, juristic evidence suggests some degree of legal liberation of the individual in the late Middle Ages. This is in contradiction to the picture of consolidation of lineage and extended family. Moreover, there was a wide range of variations along regional and community lines in the organisation of family and kinship pattern. It is certain that Christianity had led to a kind of legal and ideological unification reflected especially in the Gregorian reforms of church (around 11th and 12th centuries). Some aspects of this unification are reflected in a common idea of marriage, common rules of consent, common tables of consanguinity (having the same lineage) and common control of the church over families and individual consciousness. However, the Eastern Europe also borrowed certain traditions from ancient Slavonic codes regarding idea of marriage and family. Similarly, Celtic countries of the West, little affected by

the Gregorian reforms, retained their notions of clan solidarity and flexible notions of marriage. Then, there were Jewish and Islamic matrimonial customs on the fringes of Roman Christianity. The contradictory pictures and regional variations suggest that a simple chronological separation between 'medieval' and 'modern' social life ignores the complexity of issues involved.

35.3 LAW, MARRIAGE AND CHRISTIANITY

The Roman church defined the notion of familial exogamy and adopted a common model of consanguinity. The chief aim of the Gregorian reforms was to establish marriage as a true order, inferior to the spiritual order of the church but equally of divine origin. Marriage, as a contract and sacrament, became effective only through the mutual consent of both parties. The marriage bond once contracted was to be permanent and indissoluble. In principle, marriage had to be a completely free choice, with no interference from the family or from any other authority. These principles, however, were overlooked in view of inheritance, family lineage and the needs of production – factors that perpetuated the social order. Parents enjoyed the authority to plan and impose marriages. Families felt concerned to avoid so called 'clandestine' marriages. The church, despite its notion of marriage by consent, had to agree to a public kind of marriage, before priest and people, to curb misalliances (unsuitable marriage) from taking place. In fact, canon law forbade certain marriages. Marriage was forbidden not only between first cousins and their children, relatives by marriage in the same degree but also between spiritual relatives, meaning god fathers, god mother and relatives of children baptized by them. This demanded a wide-ranging collective memory of the family-lineage. Such a system of prohibitions gave wide powers to the ecclesiastical courts who saw that the rules of consanguinity were followed. Clandestine marriages and engagements forced on children by their parents became a major source of litigation.

The prohibitions on matrimonial relations and lineage-centred relations were the chief features of Latin World. One acknowledged Kinship with one's mother's lineage as well as one's father. The legal customs governing inheritance approved and reinforced this bilateral system. The lineage itself, as an effective tool of power and solidarity, was not always exclusively paternal.

Another feature of the Latin World was institutionalised celibacy of priests or ban on clerical marriage, although the priests were reluctant to accept it in actual practice. They tended to evade it by keeping concubines. This also explains the phenomenon of 'nepotistic' tendencies in the church or the special inclination of priests for their sister's sons. Moreover, not all churches accepted celibacy. The priests in the Celtic Ireland of the fourteenth century practised marriage long after it vanished elsewhere, and passed on religious offices from father to son.

35.4 THE INTERIOR OF FAMILY: LOVE, SEX AND CHILDREN IN THE LATE MEDIEVAL EUROPE

The sexual relationships were not confined to monogamous marriages. With bachelor's marrying late and a large number of celibates, especially the priests

in churches, concubines, prostitutes, servant – mistresses and slave – girls provided significant emotional and sexual outlets. Existence of simultaneous polygamy or serial polygamy in the so called 'orthodox' families accounted for a large number of bastards. Sometimes these bastard sons were legitimised by nobles, but they would never be able to claim any of the family inheritance. These 'sinful' women, considered 'enemy of home', were infact considered to be indispensable. It was they who guarded the honour of married women against the troublesome lust of young men, and above all, saved young men against the danger of sodomy also. There was some sort of universal obsession with this 'vice' in Italy and Spain.

Premarital sexual union sometimes led to strong affectionate ties between a young noblemen and a young woman. This led to strong paternal feelings towards the offsprings of this union by the nobleman. From the women's point of view, the existence of this large number of non-marital unions and such unjust polygamy increased their dependency and physical danger. The law universally acknowledged the right to kill an adulterous wife and her lover if caught in the act of love-making. Woman, forced into secrecy, had their own underworld of crime. This led to infanticide or the killing of the shameful offspring of illicit relationship. Sometimes, husbands were poisoned. Then there was sorcery and love-magic.

The purpose of marriage, in popular perceptions as well as church's eye was to have children. Although love, sex and procreation formed an inseparable whole, certain contraceptive practices were known even in the Middle Ages. *Coitus interruptus* was frequently used method of avoiding children. Prostitutes and girls in love also commonly used contraceptive drugs, especially mustard seed and sometimes practised abortion to avoid producing bastards. Certain postures were also used for the purpose of avoiding children. However, there was a strong desire to have children among the married couple. As the men married late and the reproductive cycle was limited to a few years, births were numerous and frequent especially also due to stimulus of high infant mortality. Birth and fertility rates were high and correlated significantly with the wealth of household. Poorer mothers must have slowed down their reproductive rates by prolonged breast-feeding, by acting as wet-nurses to children from richer households, and may be by practising contraception. Wealthy families shortened the period between conceptions by putting their babies out to nurse. Infant mortality, doubtlessly, affected richer sections less.

Male children everywhere outnumbered females. This was reason for a large number of unmarried males in every community. This probably reflected the attitude of families towards their male and female children. Male children were supposed to continue the family name. Infant mortality was quite high and certain customs and practices were like disguised infanticide. Pregnancy was a special time in the life of a married couple. The pregnant lady was hemmed in with taboos, covered with sacred amulets and every wish was granted. After a child-birth, there were visits and presents from relatives. She would breast-feed for two or three years. The upper classes employed a wet-nurse.

Aristocratic and patrician families drew their strength from their children, who served their 'father's-house' either on the battlefield or in business. Like the private armies of feudal warfare, the merchant and manufacturers of Italian cities and other regions based their businesses on the family. Marriages were

generally arranged by families, though in some cases marriage-brokers played their role. Marriage, thus, asserted the father's authority over the destinies of his children. The medieval family was marked by the age-difference between husband and wife. The husband was in some cases fifteen years older than wife. The representation of mutual love in contemporary literature was almost always unhappy and tragic. After the Black Death, men married earlier and reduced the age-difference in marriage to six or seven years. But as the population started growing again in about 1400 A.D. , the age-gap between married couples widened again. This often resulted in a large number of widows. Aristocratic and patrician marriages were accompanied by celebrations, attended by great number of guests. Marriage was indeed licensed sexuality, but this was usually disguised by mannerism. It was widely held that brides ought to be chastised by their husbands. The virtues of a wife were seen primarily in religious terms: piety, chastity and sobriety. The primary duty of wife was organisation of household work and bearing of children. Everywhere domestic chores preoccupied most of their time and energy. The women (peasant) also worked in the fields in some regions, however, in others they were kept away from the hardest physical labour.

Pregnancy was a special time in the life of a married couple. The pregnant lady had to obey many taboos, she was covered with sacred amulets and her cravings had to be taken care of. The child's upbringing was purely mother's business. She would generally breast-feed for two to three years, but among the upper classes a wet nurse was commonly employed for this purpose. This created another set of relationships, with one's breast-brothers. Earlier it was believed that no childhood existed in the pre-modern world because it found no representation in contemporary iconography. It may be true that since children were numerous, therefore, parents took less interest in them individually. Although tender feelings are evident in the lists of attested miracles for shrines which specialized in child-healing. The Portrayals of the virgin and child become popular in the fourteenth century and bear witness to the emotive appeal of childhood. The Italian humanists, in their educational literature, express the idea of father's responsibility for the character and upbringing of their adolescent sons. Such works condemned the 'coddling' of little children by mothers and nurses. At the other social end, children were sent out at an early age to be apprentices or servants in workshop or wealthy household. In many cases, since the age-gap between parents was high, the father was a distant figure while feminine influence of mother over her sons could be more. However, other male models like grandfather, uncles, maternal uncle also moulded the roles of male children and adolescents. Conflicts could arise when the father re-married; it could potentially destroy the father-son relationship. As children grew into adolescents, boys and girls were segregated. Girls were trained in domestic chores by their mothers and married early. Sometimes their mother-in-laws guided their domestic apprenticeship.

35.5 FAMILY AND SYSTEMS OF INHERITANCE

Transmission of property is not only the means by which a social system reproduces itself, it is also the way in which interpersonal relationship are structured. Since inheritance generally takes place between close kin and relatives, the emotional links and mutual rights are often influenced by anticipation of inheritance. The modes of inheritance, whether lateral or lineal,

agnatic (descendents from same male line) or uterine, (born of the same mother) to females as well as males whether equal or unequal – all these factors influenced family structures and social arrangements. The timing of transmission of property is also of critical importance. An endowment at marriage is more likely to be of movable than of landed property itself. While the division of the agricultural holding may be avoided, both in the case of peasant farms and of aristocratic estates, this preservation is often achieved at the cost of burdening the productive units with heavy debts. Out of future-proceeds of the farm the heir is obliged to service the mortgage entered on behalf of his "non-inheriting siblings". Despite the norms of primogeniture or the eldest son inheriting land, younger sons and even daughters sometimes received land. The pattern of inheritance and its timing creates a particular constellation of bonds and cleavages between husband and wife, parents and children, sibling and sibling, as well as between wider kin. The mode of tenure and system of inheritance are linked not only to household structure but also to a whole constellation of 'demographic' variables, factors that affect growth of population and preferences for male or female children. Moreover, property was not an undifferentiated concept in pre-modern times. Rights relating to material objects constitute a 'bundle' that vary over time, vary with the object of rights, with the technology used in the productive enterprise, and with the hierarchy of class or strata that dominates the social system.

One important feature of European inheritance was that even when a certain type of property (such as land) was restricted to males, women were nevertheless seen as the residual heirs in preference to more distant males. This became important because roughly 20% of all families would have daughters and no sons, the former would therefore inherit land and could attract men to them as marriage partners and perhaps live with them. Where women received land, the basic means of production, as dowry , it had social implication of re-organising ownership. Large quantities of land may also come under direct or indirect control of women as a result of death of their husbands. Female infanticide was not altogether unknown in dowry systems. However, women were valuable if not as daughters, than as wives since both spouses often brought property into marriage. The surviving partner also enjoyed some kind of continuing right in conjugal estate, whether in terms of widow's free bench or the husband's courtesy. Widow's rights were the most durable and firmly established in the late medieval England.

The attachment of property to women was important not only in making of a match; it was also relevant for a woman whose marriage had ended either by widowhood or by divorce. For if such a woman was young and had control of property, she could increase her attractiveness as a marriage partner. The emphasis on conjugal estate and the making of a match was closely linked to the emphasis on monogamy. The fate of a widow's marriage was of critical concern to the children of her late husband, but there was no prohibition on such marriages. Similarly women in European societies had possibility of succession to office. The entitlement to immovable property could easily be generalised to land or to office. There were intricacies and varieties of local customs that make inheritance systems look different. These local differences centred around the notions of primogeniture or ultimogeniture, partibility and indivisibility, equality and preference and dowry and inheritance.

Inheritance is the transmission of rights in material property at death. It is everywhere dominated by kinship and conjugality. Property is usually redistributed among kin-group. In non-literate, pre-modern societies, this was achieved with flexibility of local customs. The concept of a binding testament or a written will, as against the demands of the potential heirs was not a norm, it was rather an exception. It became an instrument for alienation of property not only to 'irregular heirs' (for example mistress rather than wife) but also institutions like church.

The problem of family splitting (fission) is also linked to transmission of family property. Very often this point of family fission was determined by marriage, for sons as well as daughters. It is the time when sons and daughters leave parental home and are endowed. Whether such endowment included landed property also, could change the social-agrarian relation. Under the 'equalitarian' system of Normandy, children received an equal share at the death of their parents. In other systems children were excluded from parental property so as to avoid divisions of estate (parental). Laws of inheritance supported by church and state generally upheld the interests of landlord by not allowing division of their estates. Unigeniture or inheritance by one heir was considered to be more desirable in case of feudal (military) tenures so as to avoid division of parental estate. Of course, 'exclusion' of other children was never complete. It generally meant only exclusion from land; the other siblings have to be paid off in a manner that may insist upon equality in value as distinct from equality of object. There was a marked geographical division between areas where inheritance was shared out equally – putting lineage before spouse and those where one heir took a larger share and other were 'excluded'. The example of former were Western France, Flanders and England under Norman law. In Southern France, Germany and Latin Europe, preference to one heir laid greater stress on unigeniture, except for a token legacy or fixed portion, children who had received a dowry were excluded. In Latin Europe, state authorities usually favoured primogeniture because it facilitated control over the tax system, military service and rural enterprise. The multiplicity of forms and strategies adopted by families make it impossible to present a single image of the medieval family and show a clear line of its evolution.

35.6 CONTROL OF THE FAMILY BY THE RELIGIOUS AUTHORITIES AND THE STATE

At the beginning of the 16th century, Christian medieval notion of marriage was contested by Protestant reformers like Martin Luther and Calvin. According to them, the Roman church had created a contradiction by making marriage an indissoluble sacrament, while exalting the ideal of virginity. They condemned obligatory ecclesiastical celibacy, the validity of clandestine marriages and restrictions on breaking the conjugal bond even in case of adultery. For Protestants, marriage was a divine institution, but not a sacrament. It was a contract based on mutual consent. In case of minors, consent of their parents could be valid but this should not mean forced unions. Anglicans and Purists were against the abuse of parental authority that forced their children into loveless marriages in order to promote their worldly interests. Protestants allowed divorce in principle, in cases of acknowledged adultery or prolonged desertion of the conjugal home. However, in practice this possibility was not much used.

The Council of Trent (1547 – 63) condemned the Protestant position and redefined and adjusted canon Law in matrimonial matters. Marriage was defined as a sacrament instituted in order to have children legitimately and to raise them in the fear of God. There were some finer differences between Protestants and Catholics regarding end of marriages. For Catholics, while procreation was the sole aim of marriage, Calvin saw the sexual act as a gift of God, which it was meant to 'use joyfully and which was justified in itself, apart from its final end, which was procreation. Both condemned contraception and abortion.

The church started stressing in the 16th and 17th centuries more on the obligations of parents in matters of education notably that of teaching their children a trade and placing them in a profession suited to their state and vocation. It was the time when church was tending to encroach on this educational role itself. This was true in the first place of religious instruction, which was henceforth provided within the framework of parish catechism. In protestant countries, the authority of the father of the family was reinforced by the role of which he played as the minister of family worship, with Bible readings and communal prayer. The Protestants stressed the importance of educating all children, or trained in some sort of work or trade that would one day allow them to earn their livings and better themselves. However, Protestantism also was responsible for the partial dispossession of the family's educational role. The faithfuls were to be in direct contact with the word of God in the Bible, and hence reading ability was indispensable priority for Protestants. For Calvin and Luther, public instruction (education) and religious learning were the combined – duty of reformed churches.

As a civil contract, marriage and all that concerned the family was of direct interest to the state. The exclusive competence of church tribunals in matrimonial matters and the validity of clandestine marriages became concern of states in 16th and 17th centuries. A royal edict in France in 1556 declared marriages of minor without their parents' wishes as 'illicit', which entailed disinheritance: The Royal legislation in France was gradually to adopt most of the prescriptions of the Catholic Council of Trent in matters of conjugal law although some of them were applied with an ointment of the Gallican theory of marriage. There were, however, some points of divergence over marriage of minors, the role of parish priest and the competence of church. Some Parlements in France used them according to their own interpretation. The sanctions against minors (men below 30 and girls 25 years) marrying against the wishes of their parents were not only civil in nature, especially disinheritance, but also penal, theoretically capital. The presence of parish priest served merely as a witness. However, a royal declaration in 1639 gave the parish priest an active role and even made him administer the sacrament. The exclusive competence of church in matrimonial matters led to a conflict between the ecclesiastical authority and the secular authority of state. The matter of annulment of marriage brought this conflict in focus. The physical separation of spouses was a matter for the church, and separation of property of spouses for the state. Since most request for separation involved both bodies and property, royal judges used this as a pretext for claiming powers for themselves.

Although State was concerned about matrimonial law only, certain measures regarding family legislation were equally significant. One such measure was the edict of Henri II of France in 1556 on termination of pregnancies. This aimed to check the practice of infanticide. In England, a similar measure in

1625 adopted a similar law, but applied it only to illegitimate children. In France, State action to help children abandoned by their parents was also a rare step. In France the responsibility of feeding and incurring the cost of maintenance was of the Justice in whose fief the child has been exposed. However, this theoretical responsibility was more often than not evaded.

To sum up, the 16th to 18th centuries witnessed an increasingly tight control over the family by the churches and states in Europe. The Protestant and Catholic Reformations both helped in the development of an internalised piety as well as granted a growing importance to all forms of collective piety. Both regarded family as the primary and privileged unit of individual christianising process. The greater power of States also protected the institution of family. Protestant countries, for example, put restrictions on divorce. Although most rulers introduced little legislation in 'family matter' yet they used the family as an essential relay and transmitter in the increasingly necessary task of supervising the individual.

35.7 CHANGES IN THE INTERIOR OF FAMILY – 16TH AND 17TH CENTURIES EUROPE

Historians have several views of the changes which affected the way the conjugal couple developed and of the climate of conjugal life in pre-industrial Europe. Did it involve a rise in individualism, starting in the labouring poor, migrating to the new emergent industrial and commercial centres and liberated from the moral and social constraints of life in a countryside. Or did it, on the contrary, involve a behavioural model that affected educated upper classes and filter down among the labouring people. By imposing an internalized piety, the Protestant and Catholics and Renaissance humanists converted upper classes elites to individualistic values. This laid the basis for a new mode of managing conjugal feelings and relations. Denial of superiority of priestly celibacy over the married state by Protestants and Puritans promoted the notion of a 'happy couple'. Catholics also used the archetype of the Holy Family as an instrument of christianising private life. The first view focuses on sudden socio-economic and demographic transition while the second view presupposes a slower and older evolution, one which was sensitive to shifts in religious and moral values. Lawrence Stone (1977) particularly tells us that from the end of 16th century, conjugal couple emerged, promoted by an austere morality which exalted individual asceticism and the head of family's responsibility and authority. Subsequently, in the eighteenth century, when religious values were waning and a hedonistic morality of pleasure replaced it, a more liberal and permissive climate developed. This allowed young people to marry according to the dictates of their hearts.

Third view point represented by Nosbert Elias explains the changes in conjugal life as a result of transformation of State and society. The increasing centralisation of state machinery, not only gave sovereigns a triple monopoly of military, fiscal and judicial affairs, but also brought social-stability that transformed relations between individuals. Force and coercion in social life gave way to refinement and mastery over impulses. The sense of modesty and resultant self-discipline was an indirect product of these changes. Avoidance of physical contact in social relations, avoidance of body's natural functions in public, modesty and restraint in relations with the opposite sex; all these have a

repressive affect on the handling of impulsive behaviour. But these changes also created a sort of 'private life', a sphere of intimacy over which the couple and conjugal relations secured exclusive rights.

It appears that all three types of factors – economic – demographic trends, changes in religious and moral climate and transformation of state structures converged to influence the interior of family relations. It was a long and non-linear evolution. The demographic growth and fluid social relations allowed young people a fairly wide margin of freedom in their sexual life and in their choice of spouse in the sixteenth century. The seventeenth century, however, was marked by a more authoritarian trend. Both State and church used the family as their instrument for moralising the social life and behaviour patterns. It tried to put premiums on married couple and repress all extramarital sexual activity. In the 18th century, when control of religious ideology declined, a new Enlightenment-inspired ideology favoured the autonomy of individual and achievement of earthly happiness based on cult of sentiment and pleasure. This brought about the re-emergence of permissive climate with regard to sexuality and the promotion of the love-match as a social ideal.

The social conditions of the 16th century – depopulated towns, deserted countryside and a climate of general insecurity largely contributed to a new conviction on the part of clerics that marriage was not the lesser evil or a duty towards procreation, but a social necessity. Its justification could be found within the marriage bond itself in the relationship of mutual help and bond of affection which it instituted between two individuals. In the long run, this change in the attitude of religious authorities paved the way for the sanctification of married state by Protestant doctrine. At that time, young people wanting to marry had great freedom of choice. The power to control marriages and to ensure that they were valid was distributed between different authorities which did not share the same system of values or make the same demands. If necessary, eligible bachelors could manoeuvre between the control exercised by the church, parents, the kinship network, friends and neighbours, their peer group and professional circle, in order to decide according to the dictates of their heart. There was also a general climate of sexual permissiveness. Such permissiveness with regard to sexual relations is attested by the great number of clandestine or contested engagements. Illegitimate children were fairly well-accepted amongst high and low. Prostitution was not only allowed but also administered sometimes by the urban authorities as a prosperous and highly acceptable activity. This was not sexual liberation in the 'modern' sense as it took a benign attitude to male sexual impulses and increased the sexual submission of women, who were exposed to prostitution and rape. A great number of cases of collective rape came before the civil and ecclesiastical courts. These crimes were punished with leniency with mere fines, usually proportionate to the victim's social status. Prostitution and rape were considered by authorities as outlets for the sexuality and rebellious mood of the unmarried young which social institutions failed to control The authorities' tolerance was not based on belief in freedom but rather from their inability to check social turbulence. The climate gradually changed during the last three decades of sixteenth century and in early 17th century. The moral pressure and imposition of religious control, encouraged by the state and church, persisted even in 18th century. However, the movement to impose restrictions and regulate sexual mores did not have same efficacy in different countries and sections of society.

35.8   SUMMARY

As we have seen the canonical view of marriage was elaborated in the medieval period of European history. In this view, marriage was a sacrament whose substance was constituted by the mutual consent of both spouses. The result was that the parent's consent, was not indispensable. There were 'clandestine' marriages, which were disapproved by the church, but were still considered valid. The canon law also defined some impediments to marriage. The bond of conjugality was supposed to be indissolvable. In actual practice, there were wide range of variations in the family organisation and the laws of inheritance in different regions and classes. The interior of the family changed a lot during the early modern period after the initial strengthening of lineage based on kinship in the late medieval period. The changes in religious establishment, the state machinery and economic demographic indexes – all external factors influenced the family and its structures. Family was not a closed world meant only for the procreation and care of the children.

35.9   EXERCISES

1)   Explain the canonical view of marriage

2)   Explain the different viewpoints on the interior of conjugal life in the 16th and 17th centuries.

3)   How did the Protestants and Catholics differed on the religious view on marriage?

4)   What type of controls religious authorities and State impose on the family in the 16th and 17th centuries?

5)   Give a brief account of system of inheritance in medieval Europe.

6)   What were the responsibilities of parents towards their children?

GLOSSARY

Arquebus	:	A type of hand gun produced by the French. It was a portable gun which was supported on tripod by hook or on forked rest.
Breech-Loading	:	Guns in which bullet or shell is placed in the back part of the gun
Broadside	:	Side of a ship above water where guns could be fitted if it was a warship.
Catasto	:	An estate book comprising in principle a list of the parts of a real estate, their location, the expenses bearing on them, and the list of individuals living in them; used for assessing ground rents.
Catechism	:	Method of instruction by question and answer especially on religious doctrine
Celtic	:	Members of one of a group of West European people including ancient Gauls and Britons, Cornish, Gaels, Irish, Manx (of the Isle of man), Welsh etc.
Chevage	:	Head tax
Coddling	:	Practice of wrapping the new-born baby or infant in tight clothing.
Comitatus	:	Office of a count; territory belonging to that office.
Consanguinity	:	Kinship or 'blood-relations' based on biological ties.
Contado	:	Italian term referring to territory of comitatus.
Crossbow	:	A small powerful bow mounted horizontally on a grooved support where the arrow is held and then released by pulling a trigger
Filiation	:	The term refers to the social recognition of relationships between parents and children
Frereches	:	Administration and management of a property by brothers.
Galley	:	A long flat ship propelled by human-power generally of slaves or convicts
Gallican	:	A school of Roman Catholics which originated in France which claimed partial autonomy from Pope.
Hearth	:	The family group. Its size is problematic and must have varied. It became the unit of taxation independent of the real number of individuals living around it.
Lineage	:	A descent group who trace their descent from a common ancestor

Linear-regrouping	:	Expanding solidarity of lineage-based relationships
Logistics	:	Science of supplying materials and services to an organisation
Monogamy	:	A rule by which persons of either sex are permitted only one spouse
Muzzle-loading	:	Loading of a gun through the open end or mouth
Parlements	:	A kind of judicial bodies in France that heard appeal from local administration and the courts of feudal lords
Patriciate	:	The term that originated in the Roman World, generally used for wealthy land-owning aristocrats.
Polygamy	:	Practice of having more than one wife
Primogeniture	:	The rule of inheritance or succession which favours the eldest child (generally the eldest son where inheritance is in male line)
Rifling	:	Cutting of spiral grooves in the barrel of a gun to enhance its accuracy.
Sacrament	:	A ritual act in the church
Ultimogeniture	:	The rule of inheritance or succession which favours the last born child
Unigeniture	:	Inheritance by a single child instead of equal division among all children

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