***Divorce in the past?: Matrimonial separation from Antiquity until the 20th century.***

***European and non-European worlds.***

***Lyon, November 27-29, 2019***

***Call deadline: December 1, 2018***

*For its next conference the Société de Démographie Historique will focus on the theme of matrimonial separation, in all its institutional forms in European and non-European areas, over a period ranging from Antiquity to the beginning of the 20th century. This vast spatial and chronological panorama of the work in progress in this field should encourage the emergence of a common framework for reflection during this meeting and make it possible to establish heuristic threads for each researcher wishing to contribute.*

*If divorce has become commonplace in Western countries today, in parallel with the emergence of types of civil unions constitutively more precarious than marriage, such as PACS, we know that for earlier times, from the affirmation of Roman canon law in the 11th and 12th centuries to the revolutionary turn, the divorce procedure long ceased to exist. Its legalization in reformed lands from the 16th century onwards did not lead to its general adoptation. Authorized under the Roman republic, it was practiced from the 2nd century B.C. onwards, accompanying an intense circulation of women considered fertile and complex in their strategigic positions of power (Y. Thomas, 1986; S. Traggieri; M. Corbier 1992), while the Roman, Hebrew and Germanic legal systems all authorized the repudiation of the wife, especially when she was presumed sterile. Applied sparingly and with differentiated criteria during the medieval and modern periods, the forms of matrimonial separation authorized by ecclesiastical and secular courts have been plural and practiced discreetly, or on the contrary, in manners highly publicised. Subsequently, in France, for example, alternately authorized and prohibited between 1792 and 1884, divorces have experienced significant numerical and sociological fluctuations that require historical analysis.*

*During this conference, it will therefore be a question of crossing historical approaches concerning separations and divorces, their modalities, actors, stakes and effects that will necessarily be different in their methods and questions, which the disparities in documentation between different historical periods make necessary. But there is more: if marriage has been defined until recent decades in its broadest anthropological sense as a socially instituted link of common life and sexual division of labour between two individuals of both sexes, with (generally but not always) sexual exclusivity between the members of the couple sufficient to establish the legitimacy of the children born of the union in question (L. Barry et al., 2000), its historically situated and differentiated nature over time makes the situation complex. The fact of establishing its partial or complete rupture as an object of study places future communications at a thematic crossroads between the history of the family (marriage, couple, conjugality, sexuality, family, kinship) and that of normative processes, such as the imposition of ecclesial canonical standards (11th-13th centuries) and the doctrinal and experiential construction of confessionalizations (16th century), affected between the 15th and 18th centuries by varied processes of secularization according to geographical areas, which resulted in the assertion of civil jurisdiction over the separation not only of property but also of body and habitation (the exchangeability of terms being significant). In this way, the modes of social regulation through practices (clandestine marriages, or marriages well below the prohibited degrees of kinship and socially diffused dissolutions of them, for example) developed around and due to normative constraints (obligation of indissolubility, monogamy and exogamy), within which modes of regulation or social deregulation eminently reflected in demographic behaviours are questioned. The socio-economic and socio-cultural representational issues induced by the practiced forms of termination of matrimonial agreements must necessarily be taken into account (G. Francini, 1999; I. Carrier, 2003; H. Piant, 2006; C. Chatelain, 2010): comparative and constructivist approaches to gender prism must be prominent here; many of their pragmatic aspects are related to the modalities and effects of institutional and jurisdictional plurality (Church, State), administering, accepting or refusing requests for temporary or permanent joint living arrangements (Anne Lefebvre-Teillard, 1973 ; A. Lottin, 1975; J-P. Darmon, 1979; J. Merricks, 2009; G. Murphy, 2004; J-P. Gutton).*

*In this way, taking into account the strategies of the actors in this field refers the historian to questions relating to the articulation between religious sacrament and civil contract, which requires long-term reflection - and requires, in particular, the presence of antiquarian colleagues. In particular, the latter will be able to shed light on the scope of the legal perspective of divorce on the corpora & customary practices of the Romanized peoples of the Early Middle Ages, and the forms of coexistence between Empire law and Christian ethos. Because of the prominent role played by the alliance in its institution, at the heart of these questions is how to interpret the rules of kinship of yesterday or the day before and how the actors played them with more or less latitude, and in so doing constructed other social possibilities. But the problem of the arrest of the latter must also be addressed because of trials at different scales of political strengthening of power and concentration (for example, marriages invalidated because of membership of a religious minority).*

*It will be a question of proposing alternatives, in this way, to the teleological vision that ignores social history and postulates the passage from an absolute impossibility of separation of the Middle Ages and the first modernity, to a freedom without contemporary restrictions, against which fine sociological studies protect (Théry, 1993). Historians have sometimes been obsessed with the retrospective vision of a first society of highly corporate modernity in which the voluntary rupture of the bond of the* una caro *was almost never proven (Gaudemet, 1988), which would thus have remedied the female repudiation, and which a society of the desacralized conjugal bond, whose friability differed according to social affiliation in the 19th century, would have succeeded.*

*Marriage and its sundering implement multidimensional social conventions that are variously and contradictorily interpreted by the actors, which must be precisely historicalized.*

*The objective of the meeting proposed by the SDH will therefore be to describe, analyse, count, if possible, and explain the modalities and forms of the breakdown of the matrimonial bond by proposing a periodization that will include a reflection on the social and political tensions manifested by these separations as well as the possible changes in the kinship and gender regimes they manifest. For these reasons, special attention will be paid to "in-between" periods and areas.*

*If the theme of the disunity and judicial separation of couples has been the subject of sustained attention in the field of historiography prior to the Revolution, since the pioneering studies of Alain Lottin (1975) or Lawrence Stone (1990) and Sarah Hanley (2003), until recently published by Claude Gauvard and Alessandro Stella on the judicial disunity of couples (4th-19th centuries) on a European scale (2013), it has also and previously constituted a field of medieval history open to the canonical aspects of marriage in the daily life of matrimonial practices (C. Donahue Jr; M. Vleeschouwers-Van Melkebeck; B. Basdevant-Gaudemet, E. Santinelli and alii), their doctrinal justifications, and also their material effects (V. Lalazou) on the descendants (C. Avignon) caused by the separation of spouses. Aspects of the marriage pact related to exogamy prescriptions [R. Helmholz (1974) but also of social endogamy ( S. Seidel Menchi and Diego Quaglioni (2000) were also discussed in depth. But the theme has more rarely been addressed in historical demography and family history: historical studies on voluntary separation are rare, despite pioneering studies in the 1950s and 1960s (Goode, 1951, 1962); then in the 1980s and early 1990s (Stone, 1990, 1993; Dessertine, 1981; Philips, 1988; Ronsin, 1992). Historical research on divorce and marriage breakdown thereafter stopped until the mid-2000s (Lotta et al., 2011). Several historical studies, which mainly concern the countries of northern Europe, the United States and Japan, are now devoted to divorce from a socio-demo-historical perspective (Matthijs, Baerts and Van de Putte, 2008) or more legislative (Le Bouteillec et al., 2011; Savage, 2011). The time for a first prospective assessment seems to have arrived.*

*The objective of this conference will thus be to allow exchanges between forms of questioning that are sometimes compartmentalized and also between research areas that are sometimes very fragmented, by promoting a necessary set of scales and by making known the research programs practiced in this field outside of France, in terms of certain forms of interest in matrimonial separation.*

*In matters of matrimonial separation, a certain form of internationalisation has existed because of the wide prevalence of religious jurisdiction, which is competent in matrimonial matters. For European territories and their colonies, ecclesiastical justice has historically dominated in this matter by the general structuring of matrimonial grammar imposed between the Middle Ages and the first modernity, which then gave way to the advance of secularization, as well as to the progressive prevalence of civil justice. This partial internationalisation and its limitations and the national modes of interpretation that have resulted from it must be reflected in the research of our Flemish, Anglo-Saxon, Italian or Austrian partners (see, for example, the* Ehen vor Gericht *programme, conducted at the University of Vienna around Andrea Griesebner).*

*The following are some of the fields of consideration we are addressing to colleagues, doctoral students and researchers who wish to propose a communication and who wish to encourage joint dialogue:*

*- History of the disunity*

*- Actors in the initiative to break the matrimonial bond*

*- Strategies deployed based on separation rules and procedures*

*- Context and systems approaches*

*- Type of jurisdictional test (religious and/or civil courts)*

*-Separation issues*

*-Levels of generalization, sets of scales, differentiated geographical and cultural areas*

*- Diachrony.*

***Timetable and practical details:***

***Proposals for papers*** *(title, one-page summary, brief resume) should be sent in English, French, Italian, Spanish to the organizers before December 1, 2018. They will be examined and evaluated by the scientific committee of the symposium. The selection of papers will be communicated to proposers by 1 February 2019. Papers during the conference may be given in French, English, Italian, Spanish and should be accompanied by a slide show in another language (French or English) for a better general understanding.*

***Institutions mobilized:*** *Société de Démographie Historique, Laboratoire de Recherches Historiques Rhône-Alpes (LARHRA, UMR 5190), Centre Roland Mousnier (UMR 8596, Sorbonne University).*

***Methods of hosting the participants:*** *accommodations only will be provided by the conference organisers. Transport to and from the conference venue in Lyon must be taken care of by participants’ home institutions, as much as possible.*

***Scientific Committee :***

*Carole Avignon, Sandra Brée, Guy Brunet, Christophe Capuano, Claire Chatelain, Jean-François Chauvard, Manuela Martini, Mathilde Méheust, Jean-François Mignot.*

***Organizing Committee :***

*Sandra Brée, Christophe Capuano, Jean-François Chauvard, Véronique Gonnet-Grandjean, Manuela Martini, Mathilde Méheust.*

***Contacts:*** *send your proposals to Carole Avignon (*[*carole.avignon@univ-angers.fr*](mailto:carole.avignon@univ-angers.fr)*), Sandra Brée (*[*breesandra@gmail.com*](mailto:breesandra@gmail.com)*), Guy Brunet (*[*guy.brunet@univ-lyon2.fr*](mailto:guy.brunet@univ-lyon2.fr)*) and Claire Chatelain (*[*clairechatelain2003@yahoo.fr*](mailto:clairechatelain2003@yahoo.fr)

*Translated with the help of Alejandro Mark Amamia*