

## **streitpaar - Verfahren in Ehesachen**

### **Frühneuzeit-Info 26 (2015)**

*Erscheinungsdatum: November 2015*

*Bestellungen werden gerne entgegengenommen: **Bestellschein***

Teil 5 der Vorschau gibt einen Einblick in die Beiträge von Georg Tschannett und Zuzana Pavelkova Čevelová:

#### **Unterhaltsstreitigkeiten und deren Regelungen vor dem Wiener Scheidungsgericht im ausgehenden 18. und in der ersten Hälfte des 19. Jahrhunderts Georg Tschannett**

(in German language)

In October 1848 Heinrich Georg Bayer initiated a matrimonial suit against his affluent wife, in order to claim maintenance from her. This case constitutes a rather unusual action in the Viennese divorce court from the end of the 18<sup>th</sup> to the mid-19<sup>th</sup> century, in its attempts to reverse the gender-specific allotment of conjugal duties and rights in general, and the statutory maintenance obligation of the husband in particular. The article will consider the relationship between spousal duties and rights and marital gender relations. In this context, marriage will be interpreted as a legal institution as well as a social relationship. The piece also aims to examine the practices of the Viennese divorce court in relation to maintenance proceedings, addressing the arguments that spouses used to win or to defend an action for maintenance. Perhaps most significantly, it will analyse in detail the negotiating positions that husbands and wives adopted in divorce settlements, and upon which they relied to secure the terms of their divorce.

#### **Ehestreitigkeiten vor dem erzbischöflichen Gericht in Prag in den 1860er-Jahren**

**Zuzana Pavelkova Čevelová**

(in German language)

The paper deals with marriage conflicts in the long 19<sup>th</sup> century in Bohemia. The first part concerns with the development of contemporary Czech historiography. The second part specifies an arrangement of archiepiscopal sources in Prague which are deposited in the National archive in Prague. The third part of the paper reconstructs the history of a married couple named Houška, who in 1857 fought for annulment of marriage in court. The reason that was put forward by the husband was health problems of his wife. Marriage had been neither nullified nor divorced. The micro historical approach gives an interesting illustration of social life in 19<sup>th</sup> century, contact of country and the city, expansion of medical science into common people life and the continuing power of the Catholic Church. The aim of the paper is to explain everyday live marriage in 19<sup>th</sup> century in the Bohemia countryside.