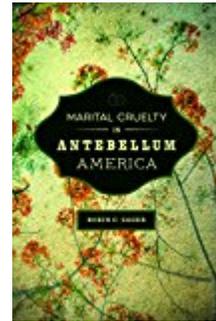




Robin C. Sager. *Marital Cruelty in Antebellum America*. Baton Rouge: Louisiana State University Press, 2016. 203 pp. \$48.00 (cloth), ISBN 978-0-8071-6310-8.



Reviewed by Leslie J. Harris (University of Wisconsin-Milwaukee)

Published on H-SHEAR (September, 2016)

Commissioned by Robert P. Murray

In literature and the popular press, antebellum women were lauded for their virtue and piety; they maintained the sanctity of the home and were responsible for the moral training of the next generation. Yet, many homes were not idyllic sites of domestic tranquility. In *Marital Cruelty in Antebellum America*, Robin C. Sager uncovers the fascinating and disturbing account of “those spouses who were simply trying not to kill one another” (p. 12). Through an analysis of 1,500 divorce cases in Virginia, Texas, and Wisconsin, Sager chronicles the meanings and cultural significance of marital cruelty in the years 1840-60. Sager contends that regional scholarship has tended to label the South as particularly violent, connecting that violence to norms of Southern honor. To interrogate these assumptions, the author analyzes Virginia (often considered the archetypal Southern state), Texas (a frontier Southern state), and Wisconsin (a frontier state in the process of settlement). Sager finds that the cultural uncertainty of frontier Wisconsin perpetuated violent domestic cruelty, while greater stability of gender norms in Virginia and Texas mitigated violence in marriage.

*Marital Cruelty* is organized around types of cruelty: verbal, physical, sexual, and negligence. Within each chapter Sager compares divorce cases from Virginia,

Texas, and Wisconsin. In the chapter on physical cruelty, for example, Sager identifies a fixation on the exact nature of the violence in each state’s attempt to determine the line between permissible violence and marital cruelty. Courts would attempt to determine the exact number of blows, the type of violence, and the emotional valences behind the violence. While there was no universal standard for what constituted cruelty, violence that reinforced gendered familial duty was more likely to be considered legitimate. As such, whipping tended to be more acceptable than punching, and the seemingly rational administration of violence was more acceptable than emotional or animalistic violence. Sager also identifies significant regional differences in physical violence, explaining that the unsettled frontier of Wisconsin led to “more permanent injuries and generalized brutality within marriages than can be seen in either Virginia or Texas for the period” (p. 39). This chapter is also notable because it includes instances of wives’ cruelty toward their husbands, a particularly egregious violation of gender expectations.

The chapters on verbal, sexual, and negligent cruelty follow a similar pattern as the physical cruelty chapter. Verbal abuse was, at times, considered as cruel as physical cruelty, especially when verbal insults were brought outside of the home and made public. The chapter on

sexual misconduct illustrates some of the conditions in which the state could regulate sexual practice, including what was deemed excessive sexual demands and the transmission of sexually transmitted diseases to seemingly innocent wives. Negligent cruelty cases uncovered assumptions of familial duty, framing a failure to perform these duties as cruelty. In the final chapter Sager traces community responses to domestic violence, chronicling how communities negotiated the limits to domestic privacy.

The unrelenting litany of domestic violence can be challenging to read, but the attention to regional difference and lower court marriage law makes the study valuable to researchers. While state and federal appeals and Supreme Court decisions from the antebellum era are more likely to be accessible, documents from lower-level divorce cases can be difficult to find. The vast majority of citizens seeking a divorce would have had their case only

heard before a lower-level court, such as a circuit, district, or chancery court, and Sager's meticulous research provides unique insight into the ways in which Americans used the state to negotiate marital conflict. However, as the author notes, not all Americans had equal access to the law, and Sager acknowledges that the choice to study divorce cases may obfuscate questions of race and class. This absence limits the scope of the study such that we do not see the ways in which race and class impacted the malleable interpretations of cruelty. Also, the study does not consider nonlegal community responses to domestic violence or legal responses that did not include divorce. Thus, it is possible that Southern community norms discouraged legal remedies to violence, although the cruelty may have been equivalent to frontier violence. Despite these limitations, *Marital Cruelty in Antebellum America* provides a unique window to the dysfunction of antebellum American families.

If there is additional discussion of this review, you may access it through the network, at:

<https://networks.h-net.org/h-shear/>

**Citation:** Leslie J. Harris. Review of Sager, Robin C., *Marital Cruelty in Antebellum America*. H-SHEAR, H-Net Reviews. September, 2016.

**URL:** <http://www.h-net.org/reviews/showrev.php?id=47274>



This work is licensed under a Creative Commons Attribution-NonCommercial-No Derivative Works 3.0 United States License.