

CGSI Webinar 8/29/20 Kate Vasicek Challis "Love & Marriage in the Austro-Hungarian Empire"

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What is the A/H Empire?

Habsburg Rule 1278-1918 ruled from Vienna

Austria 1804-1867 More internal rule in Austria

Austria-Hungary 1867-1918

Wide class differentiation – aristocracy vs. peasantry

Hajnal Line – Line roughly from St Petersburg to Trieste – separates West from East (East mostly Slavic)

- West of the line: Women married older than 23 (mostly 30s and 40s) Men married about age 26
- Spouses close in age; 10-20% never married; 50% of women age 15-50 were married or widow
- West: decreased fertility – form of birth control--onset of fertility to birth of 1st child @ 10 yrs

- East – Mean age of marriage earlier; spousal age difference greater
- Increased fertility—reduced position of women in marriage
- Women's fertility from 12/14 to 43 yrs
- How early should you check for 1st birth? Start at about age 10

High birthrate & huge child mortality – 25-30% of children died before age 1

- Sanitation, labor, postnatal care, food insecurity
- Did not improve until late in 19th Century
- Folk saying about children "For each child a mother lays to rest she advances a step toward heaven."

Large social stigma for unwed mothers

Wedding Traditions

Bride cuts cake; groom holds knife

Bride is carried across threshold

Bride dances in a circle

Throwing of bouquet

Breaking of glass or plate

Groomsmen collect coins in bride's shoe

Bride wears garter which is tossed to crowd

Horse-collar for groom

Wine chugging test for groom

Bride's hair is covered by scarf

Influence of Catholic Church

Church on every hill

Church/government alliance

Influence of church less in farther eastern areas

Civil Code – legal dualism of church and state

Civil code of marriage: Family established by marriage

Betrothal – no legal obligation, but may claim compensation for real injury

Anyone with no legal impediment may marry (no raving persons, madmen, idiots or under legal age of 14)

Age of majority 1480s 16-18 men; 14-16 women

1549 – noblemen 20; burgers 18; women 15

1753-1919: 24 1919: 21 1950: 18

Marriage consent for minors

Must have father's consent; if illegitimate, guardian or council

Minor daughter – under authority of husband except for property (father until she's of age)

Grounds for Annulment – If Catholic, no divorce, but may annul

Continued infertility or impotence; criminal; polygamy; bigamy

Who cannot marry

Christians cannot marry non-Christians; to marry a non-Christian, a Christian must renounce religion

Close relative (some cousins could marry with church or govt dispensation)

Jews can marry 1st cousins (Jewish communities fairly separate from others)

Adultery – man must prove adultery before end of marriage before he can marry other woman

Right to Divorce: Non-catholic: adultery, prison sentence of >5 years, severe ill-treatment

Catholic: Marriage indissoluble but may annul

Marriage amendments of 1919 – Civil marriage and civil divorce

1950 Family Law (under Communism)

Exclusively civil marriage; marriage no longer a contract; divorce simple

1992 Either civil or religious marriage allowed

Separation: granted by tribunal (can also allow unseparation) Recorded in church records

Banns: Act of announcing intent to marry; required 3 Sundays or holidays before marriage in both bride's and groom's parishes

Look for Banns book in parishes; Must be married in parish before end of 6 weeks

If no marriage within 6 months, must repeat publication

Matriky: parish priest must enter marriage contract (usually within a week)

Annulled marriages also recorded

Contracts in Land Books 1875-1885

Agreement made before actual marriage; it is a legal document re property

Includes bride's dowry and groom's property and promises

Illegitimacy

Why not marry? Maybe man didn't want to; result of rape; non-Christian, criminal, clergy, close relative, soldier, adulterer

Born 10th month after death or dissolution

Child takes mother's surname & can't inherit

Legitimate Children -- Born at least 7 months after marriage; Parent obliged to educate

Illegitimate Rights

Food, education

If child in danger, father can remove

Can be legitimized if father marries mother