

## Precarious Weddings in Switzerland:

### *The Civil 'Fabrication' of Marriage Between the Eidgenossenschaft and the Swiss Confederation*

My preceding literature research has revealed that current research concerning matchmaking and weddings/marriages views the importance of love or kinship/society as oppositional concepts. Three major but somehow contradictory approaches are dominant: Whereas the history of ideas sees the modernity of marriage patterns in the concept of romantic love, social history shows the continual interference of economic factors, social structure and marriage patterns. Representatives of cultural history in turn postulate the continuity of early modern behaviour and rituals in the 18<sup>th</sup> and 19<sup>th</sup> century and unmask the narrative of modernity as a myth.

All three approaches argue on different levels, because each of them is focused on different sources and neglects others. Furthermore, none of the mentioned approaches regards trends like secularisation, state building, bureaucratisation and agency as linked together, which is why rituals, ideas of love and social patterns appear as separate concepts. Therefore, this project aims to dismantle the interrelations between those parameters by researching the genesis of civil marriage, which arose in the 19<sup>th</sup> century and was institutionalised with the first revision of the Swiss constitution in 1874. With its performative approach, this study put forward that civil marriage had to be 'fabricated' by actors (bottom-up) and was not just implemented by state power (top-down). This perspective allows to see the construction of civil marriage as a practical process between different actors, institutions and authorities, where hybrid perceptions, cultures and tactics/strategies (Michel de Certeau) came together or conflicted: This multifaceted process could be described as "doing civil marriage."

The presented Project supposes that especially deviant behaviour played a crucial role for the establishment of civil marriage. Therefore, it researches 'precarious marriages' from the end of the *ancien régime* until the first revision of the Swiss constitution in 1874. This study defines precarious marriages as matrimonial liaisons, which were contested, vulnerable, delicate and unstable in consideration of different factors. Every single case was exposed to a variety of factors, such as the local community, the church, the confession, the government etc. Thus, the actors had to fight for their right to marry against the intentions of local and superordinate authorities, and the interests of local communities and their families. The right to these liaisons had to be put in place by the actors' persistent struggle in form of petitions and other means, which was characterised by various and not always successful temporal tactics. This approach allows to analyse the correspondence between actors and institutions. Different groups' motives and interests, which appear in opposition, can be observed simultaneously and as an expression of the same historical process.

In a first step towards identifying and evaluating helpful source materials regarding precarious marriages I accessed petitions for dispenses from the marriages' triple promulgation during the time of the *Helvetic Republic* (1798-1803) in the Swiss Federal Archives and actors' recourses against cantonal bans of marriages put forward to the during the first period of the Swiss *Bundesstaat* (1848-1874). The project's planned next steps are to research sources, which give an insight into precarious marriages and their practice in the time of the ending Ancien Régime and the time gap between the Helvetic Republic and the Swiss Confederation to observe further changes.