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PROPERTY, PRODUCTION,  
AND FAMILY IN  
NECKARHAUSEN, 1700–1870

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*Neckarhausen.*



DAVID WARREN SABEAN

*Cambridge Studies in Social and Cultural Anthropology*

Editors: Jack Goody, Stephen Gudeman,  
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73

PROPERTY, PRODUCTION, AND  
FAMILY IN NECKARHAUSEN, 1700–1870

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# Property, production, and family in Neckarhausen, 1700–1870

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DAVID WARREN SABEAN  
*Cornell University*



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*This book is dedicated to*  
Mark, Emma, *and* Lucas





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# Abbreviations

---

D	Döte/Dote
G	Gevatter(in)
GRTZ	Grötzingen
fl.	Gulden
kr.	Kreutzer
M.	Morgen
NH	Neckarhausen
NTLF	Neckartailfingen
NRTG	Nürtingen
OBENSG	Oberensingen
RDWG	Raidwangen
x	Kreutzer

*Dates* are given in the form: day, month, year: 12.1.1832: 12 January 1832.

## Abbreviations of sources

---

Communordnung	Ordnung für die Communen, auch deren Vorstehere und Bediente in dem Herzogthum Württemberg (1758), in Reyscher, vol. 14, pp. 537–777
Gericht	Gerichts- und Gemeinderatsprotocolle, Neckarhausen
STAL	Staatsarchiv Ludwigsburg
HSAS	Hauptstaatsarchiv Stuttgart
Kirchenkonvent	Kirchenkonventsprotocolle, Neckarhausen
LKA	Landeskirchliches Archiv Stuttgart
Nürtingen	
Stadtgericht	Stadtgerichtsprotocolle, Nürtingen
Oberamtsgericht	Nürtingen Oberamtsgerichts protocolle, STAL
Reyscher	August Ludwig Reyscher, ed., <i>Vollständige, historisch und kritisch bearbeitete Sammlung der württembergischen Geseze</i> , 19 vols. (Stuttgart and Tübingen, 1828–51)
Schultheißenamt	Schultheißamtsprotocolle, Neckarhausen
Vogtruggericht	Vogtruggerichtsprotocolle, Neckarhausen
Beschreibung	
Nürtingen	Königliche statistisch-topographischer Bureau, <i>Beschreibung des Oberamts Nürtingen</i> (Stuttgart and Tübingen, 1848)

# Weights, measures, and coinage

---

## Land

1 Morgen = 0.78 acre = 0.32 hectare

1 Jauchert, 1 Mannsmahd, 1 Tagwerk = 1.5 Morgen = 0.47 hectare

1 Viertel = 0.25 Morgen

## Cubic measure

Grain: 1 Scheffel = 8 Simri = 1.77 hectoliters

Wine: 1 Imi = 16.7 liters

Hay: Wannen

Straw, willow wands: Buschel

## Weights

1 Pfund = 467.59 grams = 0.97 pounds

## Coinage

1 Gulden (fl.) = 60 Kreuzer (kr., x)

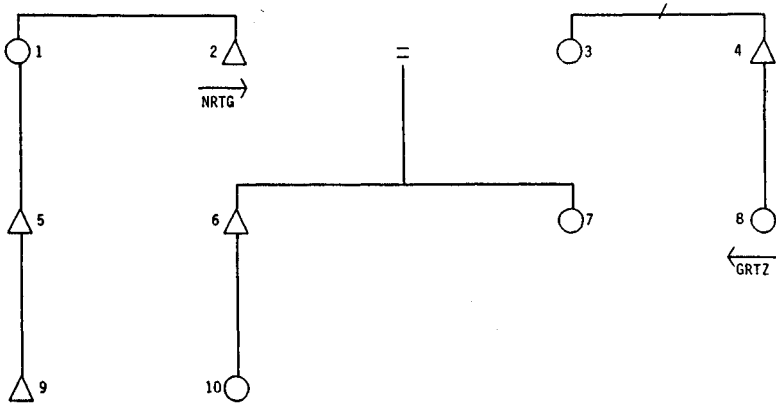
1 Pfennig = 2 heller (h.)

1 Pfund pfennig = 43 Kreuzer



# On reading kinship diagrams

△	male	$\overline{\text{x}}$	no surviving children
○	female	⌈	descent
□	person(s) of either sex	⌈/	step-relationship
△ ⊘ ⊠	deceased	→	immigrant
=	marriage	←	emigrant
≠	divorce		



- 6 is 5's MBS (mother's brother's son)
- 7 is 6's Z (sister)
- 8 is 7's MxBD (mother's step-brother's daughter)
- 3 is 2's W (wife)
- 5 and 6 are first cousins (*Vettern*)
- 6 and 9 are first cousins once removed
- 9 and 10 are second cousins
- 2 immigrated to Neckarhausen from Nürtingen
- 8 emigrated to Grötzingen

# Glossary

---

German words are italicized when they occur for the first time in the volume and italicized in block quotations (or put into roman type in italicized passages) when attention is focused on their use.

- Abrede** agreement, arrangement  
**Acker** arable  
**Actuar** accountant, clerk  
**allatum** endowment, personal possessions  
**Allmendeteil** commonland portion  
**Amt** bureau  
**Amtmann** officer, official, administrator  
**Amtschreiber** district clerk  
**Amtstadt** district capital  
**Arbeitslohn** wage, fee for services  
**Ausding** retirement annuity  
**Auslöser** one who redeems property  
**Bauer** agricultural producer, peasant, local inhabitant with sufficient land and equipment to be obligated to certain types of corvée labor  
**Bauerlohn** fee or wage for plowing or harrowing  
**Bauernbefreiung** peasant enfranchisement, emancipation  
**Bauerngeschirr** agricultural apparatus, gear  
**Baumwiese** orchard-meadow  
**Befehlbuch** copybook of mandates, edicts, and orders  
**Beibringen** marriage portion, endowment  
**Beisitzer** legal inhabitant of a locality without citizenship rights; can enjoy only “water and air” free  
**Bürger** enfranchised member of a locality, citizen  
**Bürgerausschuß** committee representing inhabitants of a locality  
**Bürgermeister** chief financial officer of a locality  
**Bürgerrecht** citizenship, full rights in a locality  
**Bürgerschaft** citizens of a locality  
**Bürgschaft** pledge, bond, surety  
**conferieren** to return a marriage endowment to an estate

## *Glossary*

- Dekan** deacon, ecclesiastical district administrator, superintendent  
**Dorfschütz** bailiff, peace officer of a village  
**Dote** godmother (relation to child)  
**Döte** godfather (relation to child)  
**Dötle** godchild  
**Ehegericht** marriage court  
**Ehepact** marriage contract  
**Ehepredecessor** marital predecessor (spouse's previous spouse)  
**Ehesuccessor** marital successor (spouse's subsequent spouse)  
**Ehevogt** marital guardian, overseer, governor (office held by husband)  
**Eigentum** personal or owned property, possessions  
**Einbringen** marriage portion, endowment  
**Einbuß** loss  
**Errungenschaft** acquisitions  
**Errungenschaftsgesellschaft** community of acquisitions  
**Fahrnis** movables  
**Feld** furlong, partition in a field (Zelg)  
**Flachsland** strip devoted to cultivation of flax  
**Freieigenes** freehold  
**Fuhrgeschirr** wagon apparatus, gear  
**Fuhrlohn** freight charge, fee or wage for carrying services  
**Gemeindepfleger** village financial officer  
**Gemeinderat** local council  
**Gericht** court  
**Gerichtsbuch** volume of court minutes  
**Gerichtsverwandte** justices of the court  
**Geschlechtsvormundschaft** gender tutelage  
**Gevatter(in)** godfather (mother) (relation to parents)  
**Gleichstellung** equalization; establishing heirs on an equal footing  
**Gült** rent paid in kind  
**Gültlösung** redemption of land sold outside a rental unit  
**Güterübergabe** property devolution  
**Güterbuch** cadaster, register of real property  
**Hanfland** strip devoted to cultivation of hemp  
**Hauptrecht** death duty, laudemium  
**Haus** house  
**Hausbuch** household ledger  
**hausen** live together, be married, get along, do well, be diligent  
**Hausgenossen** members of a household  
**Haushalter** householder  
**Haushaltung** household, economy  
**Hausherr** head of a household  
**hausieren** colporting  
**Hausleute** tenants

## *Glossary*

<b>Heiratsgut</b>	marriage portion, endowment
<b>Herrschaft</b>	lordship, authority, domination, dominion, rule, power; domain, seignior
<b>Inventarier</b>	member of an inventory commission
<b>Inventuren</b>	marriage inventories
<b>Kaufbuch</b>	register of real estate sales
<b>Kirchenkonvent</b>	church consistory
<b>Knechtdienst</b>	farmhand service
<b>Konventsrichter</b>	church consistory elder
<b>Kriegsfrau</b>	court ward (woman); correlative to Kriegsvogt
<b>Kriegsvogt</b>	curator ad litem; court guardian, overseer, protector
<b>Land</b>	strip outside of arable rotation
<b>Landrecht</b>	law code
<b>Landschaft</b>	estates general, parliament
<b>legitima</b>	Pflichtteil, obligatory portion
<b>Leibgeding</b>	retirement annuity
<b>Leibrente</b>	life annuity
<b>Liegenschaft</b>	immovable property
<b>Losung</b>	redemption
<b>Losungsrecht</b>	right to or law of redemption
<b>Loszettel</b>	lists of goods to be drawn by lot
<b>Ludimagister</b>	village schoolmaster; literally, singing master
<b>Markklosung</b>	redemption of land sold outside of village
<b>Markung</b>	village territory
<b>Mundtod</b>	incompetent, in state of civil death
<b>mütterliches</b>	maternal inheritance
<b>Nachlaß</b>	inheritance, estate
<b>Nachthut</b>	night watchman
<b>Oberamt</b>	district
<b>Oberamtman</b>	district administrator
<b>Oberamtsbeschreibung</b>	district gazetteer
<b>Oberamtsgericht</b>	district court
<b>Oberamtsstadt</b>	district capital
<b>Pactum</b>	contract
<b>Parzellenbauer</b>	peasant farmer with a few small plots
<b>Pfleger</b>	curator, guardian, overseer, protector
<b>Pflichtteil</b>	legitima, obligatory portion
<b>Pfand</b>	pledge, mortgage, security
<b>Pfandgesetz</b>	law of pledging, mortgage, security
<b>Pförc</b>	sheepfold
<b>Pförc</b>	receipts from sheepfolding
<b>Pförc</b>	sheepfold administrator
<b>Presser</b>	marshal, debt collector
<b>Rat</b>	council; member of council

## *Glossary*

- Rechnungen** accounts  
**retrait lignager** redemption of property sold outside the family line or kin group  
**Richter** justice, member of the court (Gericht)  
**Ruggericht** periodic assembly; court of accusation  
**Schreiber** clerk  
**Schreiberei** clerk's office  
**Schreiberamt** district clerk's office  
**Schultheiß** chief administrator of a village  
**Schultheißamt** bureau of the Schultheiss  
**Schultheißenamtsprotocolle** protocol volume of the office of the Schultheiss  
**Skortationsprotocolle** protocol volume of fornication cases  
**Spinnstube** spinning bee  
**Stammtisch** table reserved for regulars  
**Steuerbuch** tax register  
**Stube** sitting room  
**Substitut** underclerk  
**Superintendent** ecclesiastical district administrator, deacon, superintendent  
**Teilung** estate division or partition  
**traditio bonorum** property devolution  
**Unteramt** local bureau  
**Untergang** boundaries commission  
**Unterpfand** mortgage, pledge  
**Unterpfandsbuch** register of mortgages and pledges  
**väterliches** paternal inheritance  
**Vergleich** settlement, compromise  
**Vermögen** property, wealth  
**Vermögenstradition** property devolution  
**Vogt** representative, guardian; chief regional official  
**Vogtruggericht** periodic court of visitation by district administrator  
**Voraus** preferential portion  
**Waisengericht** justice of the orphans' court  
**Waldmeister** forest administrator  
**Wasen** grassland  
**Weide** pasture  
**Weingarten** vineyard  
**Wiese** meadow  
**Wohnstube** sitting room, parlor  
**Zelg** field (of a three-field system)  
**Zins** money rent  
**Zinslosung** redemption of land sold outside a rental unit  
**Zubringen** marriage portion, endowment



# Preface

---

This book has taken shape in discussion with many people. In 1968, as I was searching for ways to extend the questions about family dynamics and social change first raised in my dissertation on the Peasant War of 1525, I had the benefit of many talks with several anthropology colleagues at the University of East Anglia. Christopher Turner, Robert Groves, and George Bond encouraged me to think in terms of a village study. I spent many hours discussing my plans with Morley Cooper and began a debate with him about the usefulness of anthropology for historical study. At that time, I also met Jack and Esther Goody, who made it possible several years later for me to spend a year in Cambridge reading the literature on kinship. Jack read the final manuscript and made many helpful suggestions.

During the early 1970s, I had the good fortune to be at the University of Pittsburgh, which was one of the great centers of methodological innovation in social history. Sam Hays set the standards for conceptual work, and Larry Glasco encouraged me to computerize the records from Neckarhausen. Discussions with members of the peasant studies group at Pittsburgh, and with Jonathan Levine, the editor of *Historical Methods*, were important for formulating the project. Sandy Dumin and Ella Jacobs keypunched and verified all of the parish register forms in record time and with professional care. Eva Savol and Raymond Monahan prepared some of the tax records and inventories for keypunching by Lena Crnovic.

In 1976, I went to the Max-Planck-Institut für Geschichte in Göttingen on sabbatical and stayed for seven years. The director, Professor Rudolf Vierhaus, provided superb working conditions and presided over one of the most creative centers for innovative historical work in Germany. I benefited considerably from Peter Kriedte's extensive knowledge of agrarian history. Alf Lütke directed my attention to the issues of *Herrschaft*. Jürgen Schlumbohn discussed theoretical and methodological issues with me and commented incisively on everything I wrote over the many years. He also introduced me to the bewildering varieties of bread available in Göttingen. My study of Neckarhausen owes most to daily – almost hourly – conversations with Hans Medick, whose patience knew no bounds. We discussed at high intensity our respective Swabian villages, anthropological history, the perspective of “everyday life,” issues

## *Preface*

of practice, and just as important, the culinary ins-and-outs of Göttingen, Stuttgart, Laichingen, Paris, and London. Loli Diehl and Gerlinde Müller prepared the difficult and complex inventories for computerization, and Kornelia Menne entered the protocols and inventories on the terminal. The computerization of the Neckarhausen material was made possible by the historical data base system "Kleio" developed by Manfred Thaller, without which the study would have been impossible. Manfred is one of the pioneers in developing relational data bases for complex, nonstandardized historical sources.

The Max-Planck-Institut was host to a number of people who were important for my thinking at various stages of research: David Gaunt, David Levine, Jonathan Knudsen, Vanessa Maher, Gerald Sider, and Robert Berdahl. David Levine read and commented on the first draft and made me think through all of my assumptions once again. Several members of the continuing seminar on family history and the Round Table in Anthropology and History discussed various aspects of family and kinship with me: Barbara Duden, Michael Mitterauer, Heidi Rosenbaum, Karin Hausen, and Regina Schulte. Especially useful for aspects of Württemberg history have been talks with Carola Lipp and Wolfgang Kaschuba. William Reddy, who was a welcome guest at the institute, read every word of the manuscript and an early draft of the next one and offered a thoughtful and encouraging critique. During my last stay in 1989, I received useful comments from Gadi Algazi, Michaela Hohkamp, and Peter Becker.

Over the years, I have been graciously received at the Württembergisches Hauptstaatsarchiv in Stuttgart and in the Staatsarchiv in Ludwigsburg. They both continue to provide excellent working conditions for the practical historian. Dr. Dietrich Schäfer at the Landeskirchlichesarchiv made it possible for me to have the parish archival material microfilmed. Several people in Neckarhausen have offered me a great deal of assistance. When I started, Bürgermeister Schwarz gave me permission to use the sources in the Rathaus, and Gemeindepfleger Hagenlocher arranged to let me have them microfilmed. The present Gemeindevorsteher, Willi Knapp, has continued to provide access and microfilming privileges and has kindly helped me gain access to the material. A number of villagers consented to let me interview them, and their comments provided valuable insights into the historical life of the community.

During my years at the University of California, Los Angeles, several colleagues read the manuscript and offered comments. Scott Waugh, a kindred spirit, encouraged me to keep the details. Bill Clark fought for lucidity. Stanley Engerman from the University of Rochester read a draft of several chapters and sent me his detailed comments.

Carola Lipp and Isabel Hull kindly spent a day in Neckarhausen taking photographs for me, and Gilbert Shapiro furnished the picture looking toward the Alb from the arable fields. The maps were drawn by Henry Gayley.

Over the years, Frank Smith has been a very encouraging and patient editor.



## *Preface*

Vicky Macintyre thought her way into the manuscript and rescued me from many inconsistencies and a plodding style.

My three children have lived with this book most of their lives. It is responsible in one way or another for their sense of humor, and their mother has only too willingly encouraged their wisecracks. They each wanted their own personal book for dedication but, given my track record, I think it best to collect them here. Ruth deserves another, but she, too, will have to be patient.



Philology is that venerable art which demands one thing above all from its worshipper, to go aside, to take one's time, to become silent, to become slow –, as a goldsmith's art and connoisseurship of the word, which has to execute nothing but fine delicate work and which achieves nothing if it does not achieve it lento. Just that it is what makes it more necessary today than ever, just by this it attracts and charms us most in the midst of an age of "work," i.e. of haste, of indecent and sweating hurry which wants "to have done" with everything in a moment, with any old and new book too: – while itself it is not so easily at an end; it teaches to read well; that means to read slowly, deeply, with consideration and carefully, with reservations, with open doors, and with delicate fingers and eyes.

Friedrich Nietzsche, *Morgenröte*

When beginning an investigation, one needs to construct methodological guidelines, not definitions. It is essential above all to get the feel of the actual subject matter – the object under investigation; it is essential to separate it from the reality surrounding it and to make a preliminary delimitation of it. At the outset of an investigation, it is not so much the intellectual faculty for making formulas and definitions that leads the way, but rather it is the eyes and hands attempting to get the feel of the actual presence of the subject matter.

Vološinov/Bakhtin, *Marxism and the Philosophy of Language*



# Introduction

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For what I really wish to work out is a *science of singularity*; that is to say, a science of the relationship that links everyday pursuits to particular circumstances. And only in the *local* network of labor and recreation can one grasp how, within a grid of socio-economic constraints, these pursuits unfailingly establish relational tactics (a struggle for life), artistic creations (an aesthetic), and autonomous initiatives (an ethic). The characteristically subtle logic of these “ordinary” activities comes to light only in the details.<sup>1</sup>

– de Certeau

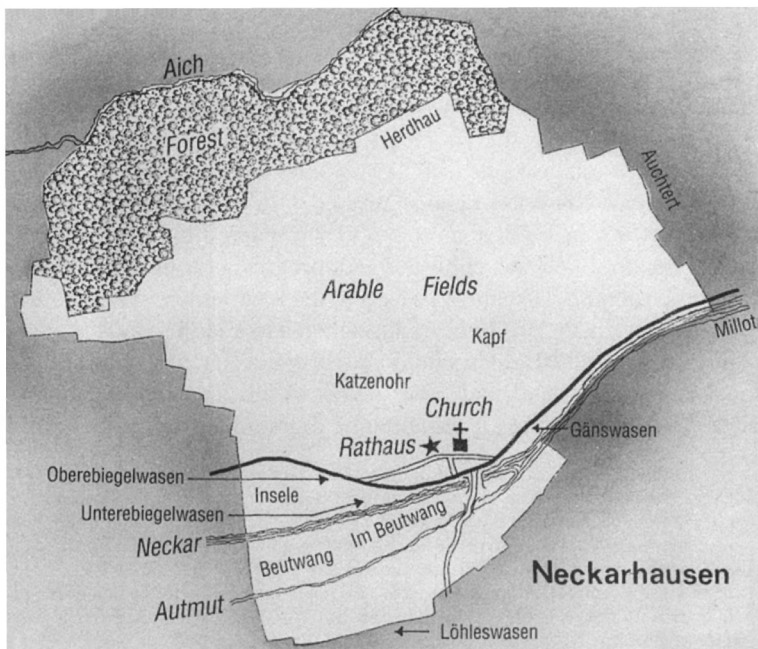
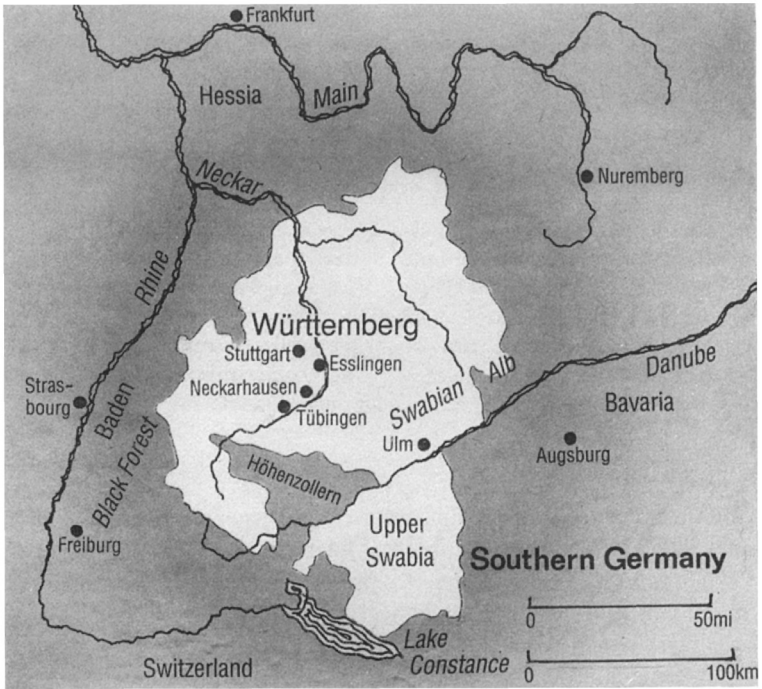
This book deals with the ordinary experiences of people living in one South German village. It focuses on the internal relations of the family and is part of a larger exploration of the dynamics of kinship, which will be developed further in a subsequent volume.<sup>2</sup> The study begins in 1700, by which time the village had largely recovered from the Thirty Years War and established the land-holding patterns and occupational structure which would characterize it until the late nineteenth century, and ends in 1870, after the population had tripled in size, carried through a green revolution, and become enmeshed in regional and international markets.

Neckarhausen was not distinguished from many other villages belonging to the Duchy – from 1806, the Kingdom – of Württemberg in any special way, except for the fact that in the course of the nineteenth century it came to be well known for the quality of its flax. Despite major adjustments, its agriculture throughout the entire period was concentrated on raising spelt, a form of winter wheat widely grown in Swabia and particularly adapted to the weather conditions of the region. Spelt was cultivated in a progressively modified three-field system of crop rotation. Like most villages in the low country between the Black Forest and the Swabian Alb, Neckarhausen had adopted the practice of partible inheritance, which redistributed family property in each generation by according equal amounts of land and other assets to all the children. The region became a classic land of small peasant agriculture, characterized by ever more

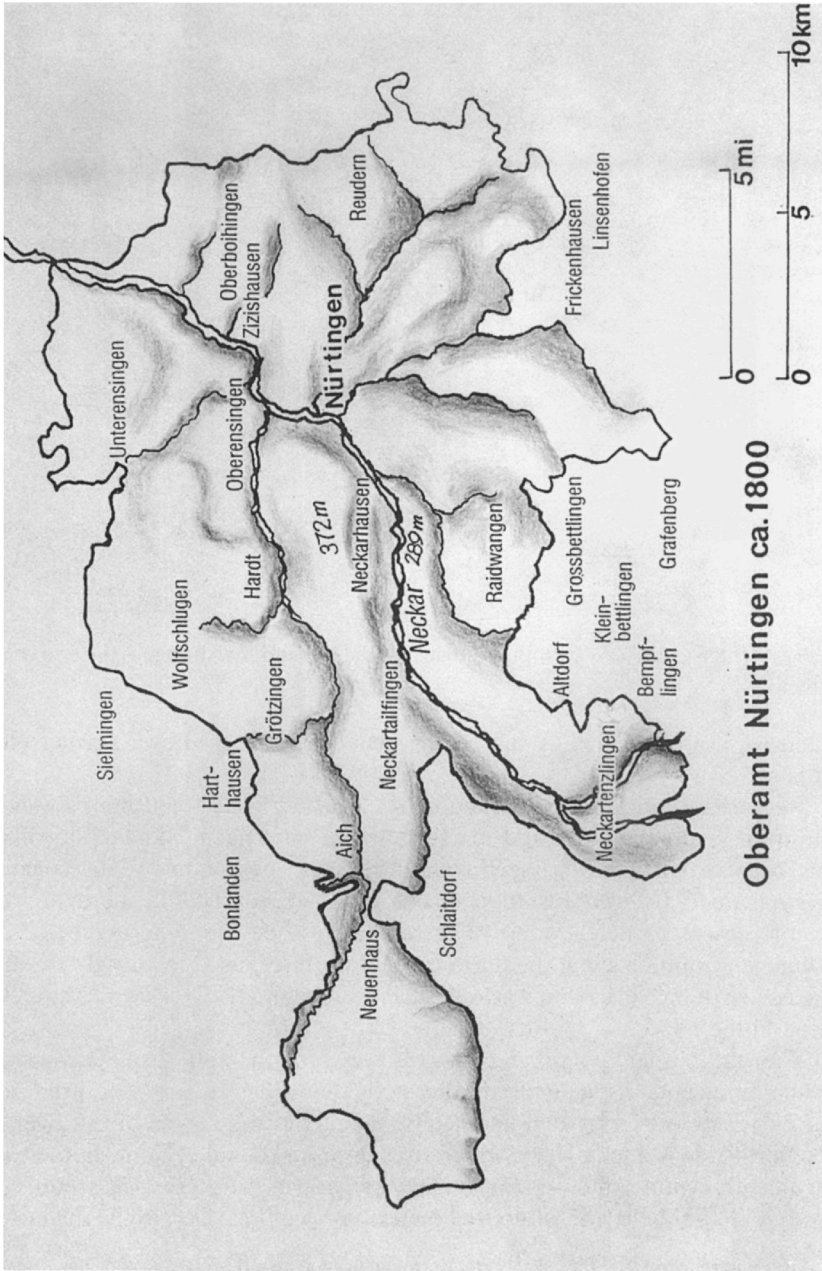
<sup>1</sup> Michel de Certeau, *The Practice of Everyday Life*, trans. Steven Rendall (Berkeley, 1984), p. ix.

<sup>2</sup> Throughout this book, reference is made to another book in preparation on kinship in Neckarhausen. It is sometimes referred to as “Volume 2” or the “volume on kinship.” It deals with the systems of marriage alliance and ritual kinship and examines the practices of child naming, guardianship, and underwriting debts. It examines the interactions of kin with each other, the language of kinship, and the strategic use of people related to each other by blood or connected through marriage. The volume has no title yet, but Cambridge University Press expects to publish it.

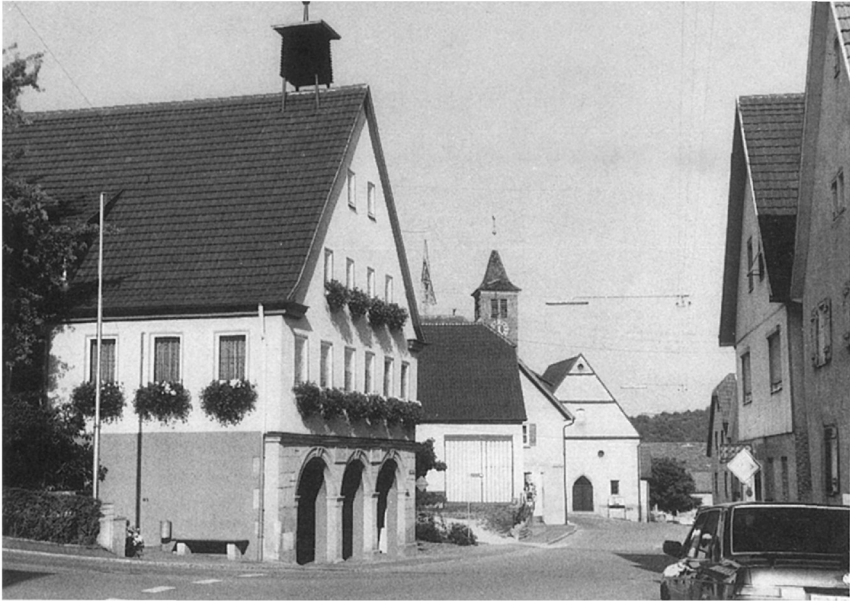
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Village center facing east with the Rathaus on the left and the church at the end of the street.

intensive use of the soil as succeeding generations worked ever smaller plots of land.

Neckarhausen is situated on the upper Neckar River, a half hour's walk to the nearby administrative and market town of Nürtingen.<sup>3</sup> Today the village has become part of Nürtingen, but during the period under investigation it maintained its own institutions and jealously guarded its borders from encroachment by neighboring villagers and townspeople. The highway from Tübingen, running along the north bank of the river, used to go right through the center of the village but was relocated even before the Neckar was straightened in the 1830s.

The village is laid out on an east-west axis along the north bank of the river, which interrupts its general northeasterly flow just before Neckarhausen, turning eastward for several kilometers. Parallel to the course of the river on the north side is a long ridge, which rises up from the valley floor. In the early eighteenth century, the buildings of the settlement were grouped around the church and Rathaus a few hundred meters north of the river, in the manner of

<sup>3</sup> For an introduction to the village and surrounding communities, see Königlicher statistisch-topographischer Bureau, *Beschreibung des Oberamts Nürtingen* (Stuttgart and Tübingen, 1848); and Hans Schwenkel, ed., *Heimatbuch des Kreises Nürtingen*, 2 vols. (Würzburg: Konrad Tritsch for the Kreisverband Nürtingen, 1950, 1953). See also *Pfarrbericht* (1828), LKA, A39, Bü 3060.



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Arable fields with the village forest in the background.

a typical nucleated village. As the population grew, the inhabited area slowly expanded up the hill and eventually pushed along the slope of the ridge, especially eastward toward Nürtingen. Atop the ridge 100 meters above the valley floor is a broad flat plateau where the narrow strips worked by the villagers were distributed into furlongs (*Felder*), which in turn were grouped into three large fields (*Zelgen*). On the other side of the arable fields, a considerable forest of 447 Morgen (141 hectare, 348 acres) belonging to the village invited predatory incursions by villagers from Grötzingen and Oberensingen. From the Rathaus at the center of the village to the edge of the arable fields at the top of the slope, the distance is about 1 kilometer, and to the woods at the far side of the tableland, another 2.5 kilometers. Looking back from the fields in the direction of the village and river, one sees in the distance the long escarpment of the Swabian Alb, running in a northeast-southwest direction, with the rolling lowlands in between dotted with villages similar to Neckarhausen.

Proceeding back down the hill on either side of the inhabited area, we encounter the mixed orchard meadows which were developed at the turn of the nineteenth century and are so frequently found in the region today. They were the foundation for both stock raising and a considerable fruit harvest.<sup>4</sup> Some of

<sup>4</sup> The apple tithe itself frequently amounted to over 2,000 simri (44,300 liters, total harvest 443,000 liters) by the mid-nineteenth century; *Beschreibung Nürtingen*, pp. 65–7.

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Arable fields facing toward the Swabian Alb.

the steeper slopes were devoted to viniculture until 1817, when everyone finally agreed that the wine was too sour to drink with any pleasure. At the bottom of the incline, all along the river, the village had its communal pastures and wet meadows, cultivated intensively from the beginning of the nineteenth century. Until the river course was “corrected,” this area was subject to flooding in most years, and even today every other decade or so a destructive flood can disrupt the economy of various communities situated along the valley floor.

Scattered about the village territory (*Markung*) were areas set aside for vegetable gardens or for flax and hemp cultivation. Neckarhausen sold considerable amounts of raw flax, kept many people busy spinning, and had 30 weaving frames in use as late as the mid-nineteenth century.<sup>5</sup> In some of the meadows along the river and in some of the small communal parcels up the hill, villagers laid their linen cloths out to bleach, and pools by the river provided places to soak raw flax in preparation for extracting fibers. The geese were herded in one of the low-lying wet meadows until the 1830s. The district (*Oberamt*) of Nürtingen was one of the most important sheep-raising areas in Württemberg, and Neckarhausen had a considerable herd, which in the eighteenth century grazed on the fallow and in the nineteenth increasingly on intensive pastures set aside for its use.<sup>6</sup> Over toward Nürtingen in the Millot, there was a stone

<sup>5</sup> *Ibid.*, pp. 177ff.

<sup>6</sup> *Ibid.*, p.76.

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quarry which produced building and paving stone, and whetstones were obtained from the valley of the contributory Aich. The Neckar River bank itself was a source of gravel and sand. Up on the hill there was a hut for producing saltpeter which the village leased out on an annual contract. Rights to fish in the river belonged to fishermen in Nürtingen, and the river was used by raftsmen for transporting timber from further upstream. Once the river was straightened, the village planted willows all along the bank and used the wands for basket production. Altogether, the agricultural and forest lands of the village included 1796 Morgen (measured in 1846: 566.2 hectares, 1368.5 acres), distributed among 77 families around 1700 (on average 23.2 M. or 17.7 acres) and 218 families by 1870 (on average 8.2 M. or 6.2 acres).<sup>7</sup>

Neckarhausen is situated in an undulating lowland under the Swabian Alb (*Albvorland*), where limestone plateaus alternate with valleys composed of clay and marl.<sup>8</sup> In contrast to the region north of Stuttgart, which is characterized by geological folding and relatively extended areas of consistent stratification, this southern territory shows signs of faulting and abrupt alterations, with a variegated pattern of micro regions. In general, the soils of the region consist of rich, heavy clays derived from the limestone substratum. In Neckarhausen, the soils on the plateau, which contains the arable fields, are mostly loess; those of the south slope with orchards and meadows consist of marl; and the valley floor with its wet meadows and pastures is made up of heavy clay with a limestone substratum.<sup>9</sup> The climate is influenced both by the oceanic and the continental systems, which can bring cold or mild winters and varying amounts of rain.<sup>10</sup>

Some readers might ask whether a study of this kind can produce results of general interest or comparative significance. These two questions are seldom distinguished from each other. Yet they can lead in quite different directions. In many instances, the comparative method is used precisely to establish the uniqueness of some institutional arrangement, pattern of behavior, or element of culture. In fact, comparative historians, anthropologists, or sociologists who are careful about their methodological procedures use comparison for the most part to establish the peculiar traits of a particular cultural area, familial structure, economic formation, or the like. Particularity, specificity, and context

<sup>7</sup> *Ibid.*, Anhang. If we subtract the forest from the total, then the average household in 1700 had 13.3 acres (5.5 hectares) agricultural land; in 1870, 4.7 acres (2.0 hectares).

<sup>8</sup> I have based my description of the geography of the region on Friedrich Huttenlocher, *Baden-Württemberg, kleine geographische Landeskunde*, 3d. ed., Schriftenreihe der Kommission für geschichtliche Landeskunde Baden-Württemberg, vol. 2 (Karlsruhe, 1968), pp. 12–27, 41–50. See also *Heimatbuch Nürtingen*, vol. 2, pp. 590–2.

<sup>9</sup> *Heimatbuch Nürtingen*, vol. 2, pp. 591–2.

<sup>10</sup> The average annual temperature is 8°–9°C. (46°–48°F), ranging from 18°–19°C. (64°–66°F.) in July to just under 0°C. (32°F.) in January. The average annual rainfall ranges from 70 to 90 centimeters (27.6–35.4 inches); Huttenlocher, *Landeskunde*, pp. 40–6.

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are usually the point of even the most general application of the comparative method.<sup>11</sup>

Generalization is itself not without ambiguity and can be thought of in at least three ways. First, there is the desideratum of typicality or statistical representativeness. In what way does Neckarhausen represent practices and behaviors which can be found elsewhere, either over a larger geographical area such as the district of Nürtingen, the Duchy of Württemberg, South Germany, Central Europe, or across cultures to embrace certain kinds of social formations – peasant, agricultural, partible inheritance, rural, Protestant pietist, and so forth? The answer has in part to do with scale. I could have studied one family or a region or a state, or I could have focused on a particular topic such as small peasant society in periods of intensification and capitalization, selecting as a case study one farm, one village, one epoch, or a series of different examples. It is not the scale of the exercise which determines the importance of its questions, since any unit of analysis is open to the same demand to go beyond its limits. In some ways, whether a territory is of satisfactory size is a matter of perspective. From the point of view of someone, say, in southern California, there is not a great deal of difference between Neckarhausen and Württemberg, and most people have heard of the latter only because their Porsche came from somewhere in the middle of it.

The relevance of scale has largely to do with the nature of the questions. For example, a philological investigation of a word such as “hausen” in the context of its daily use could not be carried out over a much wider area than I have done in Chapter 3. Moreover, it would be irrelevant to a general study of peasant societies as such. Hans Medick tells me that in Laichingen, a village about 30 kilometers from Neckarhausen, “hausen” was used in circumstances similar to those found in this study, but 50 years earlier. Such a comparative perspective shows how irritating the demand for generalization can be when complex issues of social interaction are raised. In the first place, it devalues the “merely local,” and in the second, forces the researcher along the wrong path by implying that frequency of use and areal distribution are relevant criteria for judging significance. The fact that the terms of discourse in Laichingen are out of phase with those pertaining to Neckarhausen forces us to pose strong analytical questions about ideology, social differentiation, and the chronology of economic and social change rather than weak ones about statistical spread.

Another problem with areal significance is that it draws our attention away from social discourse. De Certeau makes a useful distinction between the “circulation of a representation” (e.g., by teachers and preachers) and its use, or between the production of an image and the “secondary production hidden in the process of utilization.”<sup>12</sup> This kind of linguistic model, which distin-

<sup>11</sup> A good example is Jack Goody, *Production and Reproduction: A Comparative Study of the Domestic Domain*, Cambridge Studies in Social Anthropology, vol. 17 (Cambridge, 1976). But see George Peter Murdock, *Social Structure* (New York, 1949).

<sup>12</sup> De Certeau, *Practice*, p. xiii.

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guishes between performance and competence, where speaking is not reducible to a knowledge of language, fixes our attention on particular acts of communication, on the appropriation and reappropriation of language by speakers. According to Bakhtin, “the task of understanding does not basically amount to recognizing the form used, but rather to understanding it in a particular, concrete context, to understanding its meaning in a particular utterance, i.e. it amounts to understanding its novelty and not to recognizing its identity.”<sup>13</sup>

The second way in which generalization might be understood is in terms of a particular narrative of development; that is, Neckarhausen might be seen as an instance of a stage in the process of modernization, as a representative of a particular form of domestic group formation, as a typical instance of an economy of household production, or as a case of pre- or protocapitalist agricultural development. In this approach, the varieties of human society are considered a “sequence of specialized adaptations to different economic circumstances.”<sup>14</sup> As a consequence, attention is turned away from the dynamics of social relations in a particular society to a grand narrative of human progress. Each new study recodes its findings to fit an objectified story already known to the observer. It is only the residue, when all the local color is washed away, which counts for essential knowledge of the subject. This approach does two things: It substitutes “our” story for “their” story, and it isolates us from interaction with “them.” Every aspect of dialogue is erased, whether it is the historian’s reciprocal fashioning of him- or herself in introspection – recognizing in “their peculiarities,” as Edmund Leach says, a mirror of our own<sup>15</sup> – or whether it is the “cooperative” or “collaborative” construction of a narrative when the author no longer occupies the position of a transcendental observer.<sup>16</sup> More important, the nature of the inquiry shifts from intersubjective communication processes underpinning the objectified account to “essential” and “substantial” being. But “once dialogism and polyphony are recognized as modes of textual production, [such] monophonic authority is questioned.”<sup>17</sup>

A third form of generalization asks how a particular formation is to be measured against some criterion such as rationality: To what degree does it fulfill needs, master nature, or conform to an abstract concept of lawful behavior? Ultimately such questions come down to a notion of humanity which arose during the Enlightenment – namely, that each person represents its essence. The analytical problem is to go beyond the particulars to his or her essential

<sup>13</sup> V. N. Vološinov, *Marxism and the Philosophy of Language*, trans. Ladislav Matejka and I. R. Titunik (Cambridge, Mass., 1986), p. 65. For the argument that Bakhtin wrote the work, see Katerina Clark and Michael Holquist, *Mikhail Bakhtin* (Cambridge, Mass., 1984), pp. 146–7.

<sup>14</sup> Edmund Leach, *Social Anthropology* (New York, 1982), p. 121.

<sup>15</sup> *Ibid.*, p. 127. James Clifford, “Introduction: Partial Truths,” in *Writing Culture: The Poetics and Politics of Ethnography*, ed. James Clifford and George E. Marcus (Berkeley, 1986), pp. 1–26, here 23: “Every version of an ‘other,’ wherever found, is also the construction of a ‘self.’”

<sup>16</sup> Stephen A. Tyler, “Post-Modern Ethnography: From Document of the Occult to Occult Document,” in *Writing Culture*, ed. Clifford and Marcus, pp. 122–40, here 126.

<sup>17</sup> James Clifford, “Introduction,” p. 14.

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rational or sensual core. This approach may be criticized for adopting artificial standards and norms, and even a follower of the tradition such as Habermas tries to rescue rationality without a fixed concept of human nature.<sup>18</sup> According to the Enlightenment notions, individuals at their core are without relations, and as a result the individual is objectified and reified. This approach has been objected to in part because of the static nature of the categories. They are meant to catch common properties or, as Dumont puts it, the mere general as opposed to the universal.<sup>19</sup> And with the latter term, Dumont brings us back again to the problem of introspection. In contrast to the search for the general, which leads inevitably to objectification, the search for the universal enables one to find truth for oneself. For Dumont as for a large number of other writers, the “disintegration of ‘Man’” appears to be rooted in a recognition of the arbitrariness of the criteria of rationality and the problematic boundary between nature and culture.<sup>20</sup>

If approaches to the “general” seem problematic, does that throw us back to a new historicism? Is the interest in the concrete, the local, and the particular based on an assumption of individualism? Meinecke, for example, was out to replace a “generalizing” with an “individualizing” science. Historicism was supposed to liberate us from an unhistorical and naturalistic conception of man.<sup>21</sup> It posited the existence of integrated, unique individualities, whether persons or nations, and in a similar fashion argued for an infinite variety of different historical forms. The facts of history are particular, individual, concrete, unrepeatable entities.<sup>22</sup> Historical narrative offers a form of knowledge which reconstructs events in their unique individuality.

What distinguishes this study from historicism is that it does not make individualism a starting point. The *local* is interesting precisely because it offers a *locus* for observing relations. And we must be careful not to confuse the particular and singular with the individual, a point made by both de Certeau (cited at the beginning of the introduction) and Norbert Elias:

The traditional idea of the individuality of the single human being that underlies the historiography concerned with individualities presents a being standing completely alone, an isolated rather than just a single human being, a closed rather than an open system. What are actually observed are people who develop in and through relations to other people. By contrast, the individualistic historical tradition postulates individuals who are ultimately without relation.<sup>23</sup>

<sup>18</sup> Georg C. Iggers, “Historicism,” in *Dictionary of the History of Ideas: Studies of Selected Pivotal Ideas*, ed. Philip P. Wiener (4 vols.: New York, 1973), vol. 2, pp. 456–64, here 463.

<sup>19</sup> Louis Dumont, *Homo Hierarchicus. The Caste System and Its Implications*, trans. Mark Sainsbury (Chicago, 1970), p. 3.

<sup>20</sup> For example, see Leach, *Social Anthropology*, pp. 84–121. The phrase is from James Clifford, “Introduction,” p. 14.

<sup>21</sup> Georg Iggers, “Historicism,” p. 457.

<sup>22</sup> Hans Meyerhoff, “Introduction,” in *The Philosophy of History in Our Time* (New York, 1959), p. 19.

<sup>23</sup> Norbert Elias, *Court Society* (New York, 1983), p. 24.

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Once we center our attention on relationships, we are forced into research strategies which favor the local and the particular. That is why anthropology is concerned with small, particular localities.<sup>24</sup> And that is why the close reading of texts has come to dominate literary studies. When interest is centered on how consciousness is formed in social intercourse, on dialogical processes of value, and ideological construction, then “particular, concrete contexts” become the locus of serious work.<sup>25</sup> This brings us to the study of the quotidian, the everyday, which, as de Certeau has argued, does not at all imply a return to individuality: “Analysis shows that a relation (always social) determines its terms and not the reverse and each individual is a locus in which an incoherent (and often contradictory) plurality of such relational determinations interact.”<sup>26</sup>

This work, then, is radically comparative. Throughout, it deals with matters from the perspective of different genders, age groups, and occupations. It is concerned with both the terms of *Herrschaft* and the many different opportunities for resistance. It sharpens the view of social processes in Neckarhausen by placing them against social scientific constructs of “peasant society,” against regions characterized by other forms of inheritance, and against a variety of ideological notions of property. In only a few instances have I sought to make

<sup>24</sup> Edmund Leach, *Social Anthropology*, p. 127: “All the best work done by social anthropologists . . . has at its core the very detailed study of the network of relationships operating within a single very small-scale community. Such studies do not, or should not, claim to be ‘typical’ of anything in particular. They are not intended to serve as illustrations of something more general. They are interesting in themselves.” Louis Dumont, *Homo Hierarchicus*, p. 5: “The true function of sociology is . . . precisely to make good the lacuna introduced by the individualistic mentality when it confuses the ideal with the actual. . . . It has its roots . . . in the apperception of the social nature of man. . . .” p. 7: “One must underline the merits of anthropology as a *sociological* discipline.”

<sup>25</sup> V. N. Vološinov (Mikhael Bakhtin), *Marxism*, p. 68; also p. 20: “Social psychology exists primarily in a wide variety of forms of the ‘utterance,’ of little *speech genres* of internal and external kinds – things left completely unstudied to the present day. All these speech performances, are, of course, joined with other types of semiotic manifestation and interchange – with miming, gesturing, acting out, and the like. All these forms of speech interchange operate in extremely close connection with the conditions of the social situation in which they occur and exhibit an extraordinary sensitivity to all fluctuations in the social atmosphere.” Cf. Louis Dumont, *Homo Hierarchicus*, p. 3: “The adherents of a less radical sociology then accuse us of falling into ‘culturology’ . . . and of losing sight of comparison, which, in their eyes, is sufficiently guaranteed by concepts like ‘social stratification’ and by the mere consideration of the *similarities* which allow phenomena taken from different types of society to be grouped together under a common label. But such an approach can only ever achieve the general, as opposed to the universal, and with respect to our goal of comparison it represents another short circuit. In sociological studies the universal can only be attained through the particular characteristics, different in each case, of each type of society. . . . In the last analysis, it is by humbly inspecting the most minute particulars that the route to the universal is kept open.” See also Norbert Elias, *Court Society*, p. 26: “It is the task of sociology to bring the unstructured background of much previous historical research into the foreground and to make it accessible to systematic research as a structured web of individuals and their actions. This change of perspective does not, as is sometimes asserted, rob individual people of their character and value as individuals. But they no longer appear as isolated people, each totally independent of the others.” And finally, Edmund Leach, *Social Anthropology*, p. 148: “In fieldwork it is the details that matter and details cannot be discussed in general terms.”

<sup>26</sup> Michel de Certeau, *Practice*, p. xi.

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direct, explicit comparisons, but the driving force behind the narration is continually a comparative perspective. The tactics are also reversible. A local study can also be a point of departure for discounting the contextualization of other narratives. A consideration of the dynamics of property in Neckarhausen, for example, casts doubt on the coherence of the property/individualism account of social formation in England. The peculiarities of the English and the Württembergers lie somewhere else.

To argue for comparability is to underline the heuristic nature of those “studies that focus on meaning systems, disputed traditions, or cultural artifacts.”<sup>27</sup> If I understand what is going on in present-day cultural studies, a reified notion of culture is giving way to socially specific, exacting accounts of power, resistance, and constraints *in loci*, where many voices contend each for its own view of reality. Rather than mapping and recoding the results onto new situations, the new perspectives offer a loose set of procedures and examples of possibilities for finding coherence or contradictions in any social context. In the study of Neckarhausen, the search for singularity, for particular coherence, for the contextual logics of performance suggests that significance does not lie in generalization or the extension of a particular paradigm or a plea for typicality. Nor does it lie in a presumption of individuality, whether it argues that each epoch or culture or polity is unique (historicism) or whether it presumes that continuous unity can be broken into “innumerable separated discontinuities” (sociology) which can then be matched for their common properties.<sup>28</sup> To say that Neckarhausen is not generalizable is not to presume some special kind of unity to the community, on the one hand, or the lack of similarity elsewhere, on the other. The many voices, the conflicting and overlapping sets of relations, the continuing arguments about this and that sometimes exercised couples; sometimes concerned households; sometimes brought family members, kin, or neighbors together; sometimes engaged the whole village; sometimes joined the capital city and village or spilled over communal territorial boundaries; sometimes threw beggars, wanderers, merchants, soldiers, police, officials, and bureaucrats together with villagers, who in turn were sometimes located in the locality and sometimes on the road. The many dialogues were structured by a variety of media – the “wanted” poster read at the church door, the inventory redacted by the town clerk, the *Presser* writ to attach a carpenter’s tool kit, the protocol of a young woman’s indiscretion, the bill for plowing presented by a father to his son, the epithet hurled at a husband by his wife. The task we have set for ourselves is to examine the regularities of context and the logic of action at the many different levels of discourse in this polyphony.

This book is about the ways in which property and production in a particular locality shaped and were shaped by the family. It deals with family dynamics

<sup>27</sup> James Cifford, “Introduction,” p. 3.

<sup>28</sup> Edmund Leach, *Social Anthropology*, p. 87.



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in a region where partible inheritance was practiced, that is, where all of the children, male and female, inherited not only equal amounts of property but also equal *kinds* of property from their parents. Partible inheritance systems in Europe frequently provided only for male children to share land, but in Württemberg society villagers were obsessive about according equal portions to all of the children, including daughters. They even carried such concerns with them to America, where they were shocked to find an English legal system which denied women full rights and limited their legal personalities.<sup>29</sup>

Most detailed studies of family dynamics in Europe have concentrated on regions where impartible inheritance is practiced, although there are the important exceptions of Martine Segalen's work on France and Michael Mitterauer's comparative investigation of the various regional practices of Austria.<sup>30</sup> Too little attention has been given to family relations in partible inheritance regions, considering the distribution of the practice. In Central Europe, it dominated a large part of the Rhineland, Württemberg, Baden, Lower Franconia, Hesse, southwest Westphalia, and parts of central Germany (Thüringen, southwest Saxony, and southern Hannover).<sup>31</sup> Most of the regions devoted to viticulture and many, but certainly not all, of the areas which developed protoindustry tended to partition real property among the children instead of arranging for one of them to continue the farming enterprise.<sup>32</sup> In France, people in the Paris basin and a large part of the northern region also followed the practice.<sup>33</sup> In

<sup>29</sup> A. G. Roeber, "The Origins and Transfer of German-American Concepts of Property and Inheritance," *Perspectives in American History*, n.s., 3 (1987): 115-71, here 162-3; see also, idem, "Erbrechtliche Probleme deutscher Auswanderer in Nordamerika während des 18. Jahrhunderts," *Zeitschrift für neuere Rechtsgeschichte* 2 (1986): 143-56.

<sup>30</sup> Martine Segalen, "'Avoir sa part,'" pp. 129-44; idem, *Quinze générations de Bas-Bretons: parenté et société dans le pays bigouden sud, 1720-1980* (Paris, 1985). Michael Mitterauer, "Familienformen und Illegitimität in ländlichen Gebieten Österreichs," *Archiv für Sozialgeschichte* 19 (1979): 123-88; idem, "Zur Familienstruktur in ländlichen Gebieten Österreichs im 17. Jahrhundert," in Heimo Helczmanovszki, ed., *Beiträge zur Bevölkerungs- und Sozialgeschichte Österreichs* (Vienna, 1973), pp. 167-222; idem, "Vorindustrielle Familienformen," *Wiener Beiträge zur Geschichte der Neuzeit* 2 (1975): 123-85; idem, "Familiengroße - Familientypen - Familienzyklus," in *Geschichte und Gesellschaft* 1 (1975): 235-55; idem, "Vorindustrielle Familienformen. Zur Funktionsentlastung des 'ganzen Hauses' im 17. und 18. Jahrhundert," in Friedrich Engel-Janosi, Grete Klingenstein and Heinrich Lutz, eds., *Fürst, Bürger, Mensch. Untersuchungen zu politischen und sozio-kulturellen Wandlungsprozessen im vorrevolutionären Europa* (Vienna, 1975), pp. 123-85.

<sup>31</sup> Barthel Huppertz, *Räume und Schichten bäuerlicher Kulturformen in Deutschland. Ein Beitrag zur deutschen Bauerngeschichte* (Bonn, 1939), pp. 25-7.

<sup>32</sup> For an exception, see the important forthcoming work of Jürgen Schlumbohm on the parish of Belm in the territory of Osnabrück. An early article: "Agrarische Besitzklassen und gewerbliche Produktionsverhältnisse: Großbauern, Kleinbesitzer und Landlose als Leinenproduzenten im Umland von Osnabrück und Bielefeld während des frühen 19. Jahrhunderts," in Mitarbeiterinnen und Schülern, eds., *Mentalitäten und Lebensverhältnisse. Beispiele aus der Sozialgeschichte der Neuzeit. Rudolf Vierhaus zum 60. Geburtstag* (Göttingen, 1982), pp. 315-34; idem, "Bauern - Kötter - Heuerlinge. Bevölkerungsentwicklung und soziale Schichtung in einem Gebiet ländlichen Gewerbes: das Kirchspiel Belm bei Osnabrück 1650-1860," *Niedersächsisches Jahrbuch für Landesgeschichte* 58 (1986): 77-88.

<sup>33</sup> Jean Yver, *Egalité entre héritiers et exclusion des enfants dotés. Essai de géographie coutumière* (Paris, 1966), pp. 12-23, 91ff., and map.

## Introduction

England, Kent and much of the eastern part of the country were dominated for long periods by partible inheritance.<sup>34</sup>

One reason why partible inheritance regions have been studied less often is that the empirical work is difficult to carry out and the analytical assumptions are conceptually sterile. Such regions tended to have simpler household forms than those characterized by single-son inheritance, largely because, *ceteris paribus*, the farm holdings were smaller, and partitioning made impossible such complex forms as the stem family, with its continuity over generations between fathers and sons on the same farm. Partible inheritance, it is often thought, fosters individualism by the fact that a coherent patrimony is missing and residence for the most part is neolocal.<sup>35</sup> Since the object – the farm family – continually changes shape and appears to become subject to the individualized dynamics of expanded choices, it is less easy to make generalizations about and is less interesting, especially for those who want the premodern family to look premodern. In addition, there is the practical problem of keeping track of families in order to study them at all. Notarial records relating to continuous farm units are fairly accessible, in contrast to the documentation for a society which rearranges the holdings every generation and allows constant selling of land and subleasing of individual plots, whose houses are split into separate apartments, and whose barns are used by several tenants at a time.<sup>36</sup> In order to make the most of such material, the researcher must link together many pieces of information. It has only been with the development of family reconstitution techniques in the 1950s and 1960s that such research has become possible.<sup>37</sup> The framework of this book is a reconstitution of the village utilizing all the baptism, marriage, and burial records from the 1560s to 1870.<sup>38</sup> On that scaffolding, we have been able to organize thousands of records of land sales, mortgages, taxes, marriage and estate inventories, and criminal and civil court actions.

Interwoven throughout the book are several themes which touch on theoretical and comparative issues of considerable importance. We will continually circle around inheritance, property, capital, agricultural innovation, stratification, gender, and state. Before introducing the argument of the book, I should

<sup>34</sup> M. M. Postan, *The Medieval Economy and Society: An Economic History of Britain 1100–1500* (Berkeley and Los Angeles, 1972), pp. 145–7.

<sup>35</sup> This was the thesis of Wilhelm Riehl, *Die Naturgeschichte des Volks als Grundlage einer deutschen Social-Politik*, 3d ed. (Stuttgart and Augsburg, 1855), vol. 2, *Die bürgerliche Gesellschaft*, pp. 70–85; vol. 3, *Die Familie*, pp. 206ff.

<sup>36</sup> The individualism thesis, based on a land market and lack of a continuous patrimony linking generations, has been resurrected by Alan Macfarlane, *The Origins of English Individualism: The Family, Property and Social Transition* (Cambridge, 1978), chaps. 4, 5, 6.

<sup>37</sup> A careful methodological study is offered by Andrejs Plakans, *Kinship in the Past: An Anthropology of European Family Life 1500–1900* (Oxford and New York, 1984).

<sup>38</sup> For a programmatic statement, see David Sabeau, “Verwandtschaft und Familie in einem württembergischen Dorf 1500 bis 1870: einige methodische Überlegungen,” in Werner Conze, ed., *Sozialgeschichte der Familie in der Neuzeit Europas: Neue Forschungen* (Stuttgart, 1976), pp. 231–46.

## *Partible inheritance*

sketch in some of the considerations which underlie the analysis and give a short account of the conceptual apparatus which informs the narrative.

### **Partible inheritance**

The specific institutions of inheritance have to be carefully distinguished from the relative tendency to parcelization. As Cole and Wolf have demonstrated, adjacent regions with similar ecologies but with different inheritance systems could in fact emerge with farms of similar size.<sup>39</sup> Considerable ingenuity has been brought to bear on the question of the distribution of inheritance regimes in Central Europe, and scholars have considered such variables as cropping pattern, settlement type, ethnicity, customary law, and peasant enfranchisement.<sup>40</sup> But the general patterns appear to have been fixed, during the period of renewed population rise and market expansion of the “long” sixteenth century. In Upper Swabia, for example, where the ecology was suited to pasture, grain production, and forestry, the rules allowing families to distribute the patrimony to all the children created panic among the landlords threatened with problems of collecting dues on minifundia and among tenant farmers facing demands from an increasing number of small holders for a share in communal rights.<sup>41</sup> In the territory belonging to the monastery of Weingarten, for example, the abbot and tenants colluded in the preparation of an elaborate document, fixed with numerous seals, attesting to the “fact” that daughters had never had any rights to inherit land. And in all of the seigneuries of the region, lords took steps to establish single-son inheritance, either by reassembling farms through systematic repurchase or by revising the terms of contract.

In most of nearby Württemberg, the situation was quite different, although the forces at play were similar. There, too, a reciprocal interaction between state fiscal interests and peasant productive relations probably best accounts for the establishment of the particular inheritance regime in the law codes of 1555, 1567, and 1610 – the period of highest population density between the Black Death and the mid-eighteenth century. Viniculture, which was widespread in Württemberg, called for intensification, considerable risk, and orientation toward market relationships. Furthermore, vintners needed additional strips of land for other intensive crops to carry them over periods of bad harvest. All of this encouraged the development of densely populated villages of small producers whose pattern of farming underlay the long-term fiscal interests of the ducal state. Considerable work needs to be done on the

<sup>39</sup> John W. Cole and Eric R. Wolf, *The Hidden Frontier. Ecology and Ethnicity in an Alpine Valley* (New York, 1974), pp. 175–205, esp. 181–2.

<sup>40</sup> Theodor Mayer-Edenhauser, *Untersuchungen über Anerbenrecht und Güterschluss in Kurhessen* (Prague, 1942).

<sup>41</sup> See David Warren Sabean, *Landbesitz und Gesellschaft am Vorabend des Bauernkriegs*, Quellen und Forschungen zur Agrargeschichte, 26 (Stuttgart, 1972), pp. 36–48.

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origins of inheritance practices, but there seems to have been a relation between partible inheritance and the production of wine, vegetable, and various industrial crops in many areas of the Rhineland and southwest and central Germany. Although state fiscal policies and seigneurial patterns of appropriation were developed with consideration for regional ecologies and marketing patterns, they were the main issue behind the practical activities of officials concerned with property and its devolution.

The specific regime of inheritance, of course, is only one attribute of a larger pattern of economic and social life. Even though the tendency in Württemberg may well have been toward small holdings, the process of fractionalization really set in during the eighteenth century as the population increased and land came to be used more intensively.<sup>42</sup> We want to fix our attention in this book not so much on economic issues as on familial strategies in a situation where land, capital, and labor were all undergoing considerable change, but of a kind rarely considered by historians to have been crucial in the transition from feudalism to capitalism. We want to show exactly how intergenerational transmission gave a precise form to relations between generations. The transfer of authority from parents to children was a gradual, long-drawn-out process. Resources were dribbled out in such a way as to ensure a labor supply, to build obligation, to form a specific dynamic of exchange between parents and children and within the wider system of alliance. To fix on the inheritance of land is to miss the point that the management of tool devolution was often more important and subject to finer calculation and more flexible practice. The usual marital portion of a young couple could not be exploited without the active assistance of their parents.

Inheritance, it turns out, was an inadequate means of managing property allocation during a period of extreme fragmentation. The system of kinship alliance became the main instrument for channeling land, credit, and labor in a way which ensured the reproduction of viable farms and the social distribution of power. A greatly expanded market integrated a wider set of kin at a time when endogamy and new patterns of ritual kinship were restructuring the patterns of alliance.

Both partible inheritance and the sale of land were central aspects of social reproduction. The rules governing them grew out of the exigencies of state fiscality, on the one hand, and an everchanging strategical intervention of officials to ensure order and productivity, on the other. Villagers developed their own strategies within the legal institutions which were provided for them. Parents wove a web of obligation through a calculated management of property devolution, and allied families took advantage of commercial institutions

<sup>42</sup> Paradoxically, the trend may first have developed during and after the population disasters of the Thirty Years War. In that situation, with the cattle and horse herds decimated, crushing back taxes, abandoned fields, and ruined buildings, many people seem to have sloughed off marginal or encumbered land. When the population began to increase again, the process of fissioning took place without any check.

## Property

designed to disencumber landed property to set up a flexible but regular system of exchange. To understand the history of the family one must track a peculiar dialectic between actions taken at different levels of abstraction and growing out of different logics of intention.

## Property

Property as an analytical category is a powerful but frequently neglected tool for social analysis. It is sometimes brought in to explain premodern social systems, but is used only in general terms to analyze the social dynamics of modern societies. Although studies rooted in the Marxist tradition are based on assumptions about ownership, the issues they raise concerning class and class consciousness have less to do with social reproduction than with the interplay of broad groups positioned against each other according to their access to the means of production.<sup>43</sup> There is not a great deal of interest in how, for example, the middle classes manage the distribution of property holdings, regulate succession to class membership, or develop strategies of inheritance.<sup>44</sup> In any case, property seems irrelevant to the internal relations of the working class and is interesting in the case of other classes primarily because of what it tells about the conditions for exploitation, on the one hand, and political coherence, on the other. Property remains a residual category for all classes except peasants, whose emotional lives appear peculiarly dominated by the dynamics of material interest.<sup>45</sup>

Although this book deals for the most part with peasants – or at least with rural dwellers, most of whom owned some land and carried out some agriculture – the argument about property will suggest the usefulness of the category for class situations well beyond this range. All social transactions take place within a field of rights, duties, claims, and obligations, which taken together comprise the system of property holding. Rousseau conveyed the essence of property when he described its origins as the act of one man drawing a boundary around some land and getting others foolish enough to respect it.<sup>46</sup> In Rousseau's analysis, property is fundamentally implicated with the social – society and property are constituted in the same act.<sup>47</sup> In the first place,

<sup>43</sup> For an exceptional example of property used analytically to examine class relations, see E. P. Thompson, "The Grid of Inheritance: A Comment," in Jack Goody, et al., eds., *Family and Inheritance: Rural Society in Western Europe 1200–1800* (Cambridge, 1976), pp. 328–60.

<sup>44</sup> Challenging departures are offered by Pierre Bourdieu and Jean-Claude Passeron, *Reproduction in Education, Society and Culture*, trans. Richard Nice (London, 1977); and Gilles Deleuze and Félix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia* (Minneapolis, 1983).

<sup>45</sup> Hans Medick and David Warren Sabean, "Interest and Emotion in Family and Kinship Studies: A Critique of Social History and Anthropology," in *Interest and Emotion: Essays on the Study of Family and Kinship* (Cambridge, 1984), pp. 9–27.

<sup>46</sup> Jean-Jacques Rousseau, *Discourse on the Origin and Foundation of Inequality among Mankind*, ed. Lester G. Crocker (New York, 1967), second part, p. 211.

<sup>47</sup> Marx, of course, thought not about abolishing property but about changing its nature, for as a good Rousseauian he also understood that a "man without relationships is a man without

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property is not a relationship between people and things but one between people about things. Davis puts it this way: “When we describe rights of ownership, or of use, or of tenancy, we are talking about relationships between people. Rights imply duties and liabilities, and these must attach to people. A hectare cannot be sued at law, nor is a boundary dispute a quarrel with a boundary.”<sup>48</sup>

In other words, boundaries mediate between people. Land, houses, and tools are things which are held, managed, and argued about and are the stuff around which people in a village like Neckarhausen shaped their lives in concert with each other. In order to understand the trajectories of individual lives, the dynamics of particular families, the strategies of alliance and reciprocity, and the effects of state intervention and economic differentiation on village social practices, we have to examine the details of property rules, structures, and codes. We will look hard at contracts, agreements, testaments, gifts, sales, inventories, rental agreements, and crop-sharing arrangements. Land and other goods were part of a wider set of exchanges and reciprocities through which people were disciplined. And land and its exploitation provided a focus for socialization, character formation, emotional commitment, and the long apprenticeship which instilled obligation.

Our story about Neckarhausen peasants cuts across many of our expectations about what peasants do with property and how they organize themselves around it and express peculiar values about it. In Neckarhausen, property was owned by individuals, not by families. Children were not co-owners, and there was no joint enterprise to which they were all attached. The father was a proprietor, not a manager who could be replaced by another family member if he displayed incompetence. There was no special emotional attachment to particular pieces of land or particular houses, and partible inheritance and the property markets continually broke up what had been collected in one hand. There was little attempt to reassemble family or lineage property. Among family members outside of parents and minor children, there was no undifferentiated product. There was no continuing family enterprise over generations. Older parents and younger proprietors did not eat or cook together. Rights between adults of all kinds, married and unmarried, were carefully delineated and each person had different access to resources and rights to different things. Labor and equipment had to be paid for, and even adult married sons had to hire their fathers to plow and harrow their bits of inherited land. All the special encumbrances on property we associate with peasant societies – retirement annuities, conditional sales, *retrait lignager* – were residual at best and were designed to support the independence of households and generations from each other or were expressions of state fears that too much fractionalization of land might endanger the tax base. A lively market in land and buildings did not provide an unchanging mechanism for “individualism” or social transformation, nor was

property.” The phrase comes from Jack Goody, *Death, Property and the Ancestors: A Study of Mortuary Customs of the Lodagaa of West Africa* (Stanford, 1962), p. 287.

<sup>48</sup> John Davis, *Land and Family in Pisticci* (New York, 1973), p. 73.

## Capital

it inimical to a coordinated and highly structured system of family alliances. While on the one hand, many generalizations about traditional forms of property holding do not fit these peasants, on the other, precisely where the rules of property appear most “modern,” the accompanying institutions of kinship and community run counter to expectations.

## Capital

The period we are studying in this book coincides, of course, with the great expansion of capitalism. This book does not deal in detail with the economic reordering of the village, but certain issues do continually intertwine with the story we have to tell. One aspect of capital which has been stressed in recent historical work is the great reorganization of labor which took place under its logic.<sup>49</sup> Even a village of small agricultural and handicraft producers underwent a restructuring of labor and became subject to new forms of discipline. As we shall see, after 1800 many village males became active in the building trades and construction outside the village. Until well into the nineteenth century, many such jobs were paid by piece rates or were subcontracted out. The key thing is that such jobs were often taken on with performance bonds, which the men offered by pledging their bits of property or by getting their wives, kin, or friends to underwrite their work. In this way, an intimate connection between village wealth and capital and infrastructural development in Württemberg as a whole developed. Mobile producers remained rooted in villages by the fact that they continued to own land and land offered guarantees for their labor. In both cases, labor was subject to the discipline of capital, which worked not through a new set of rules and management oversight, as in the factory system, or through specialization, payment schedules, and debt bondage, as in the putting-out system, but through the use of village wealth to underwrite the quality and tempo of labor. Because their wealth was at risk, kin, neighbors, and spouses became charged with monitoring the diligence of the mobile work force.

But it was not just the workers who exported their labor from the village who were subject to modern financial instruments. Innovation in agriculture and pressure on the price of land led to a considerable rise in the indebtedness of the average landholder. By and large, this debt was held by ducal or royal institutions or by officials and their widows. From the mid-eighteenth century onward, the long-term policy of the state was to disencumber land from all impediments to its marketability and to develop administrative and judicial practices to secure the debt. Above all, steps were taken to make the property

<sup>49</sup> See William M. Reddy, *The Rise of Market Culture: The Textile Trade and French Society, 1750–1900* (Cambridge, 1984); Jürgen Schlumbohm, “Relations of Production – Productive Forces – Crises in Proto-industrialization,” in Peter Kriedte, Hans Medick, and Jürgen Schlumbohm, *Industrialization before Industrialization: Rural Industry in the Genesis of Capitalism*, trans. Beate Schemp (Cambridge, 1981), pp. 94–125.

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of each spouse attachable for the debts of the other. In this way, agricultural production also became subject to the discipline of capital investment and debt. Village officials inventoried anyone who was suspected of bad management; they allied with the most effective commodity producer in a family to ride herd on the other partner; husbands and wives made new demands for diligence on each other; and villagers exercised new controls on each other through gossip and public discussion. Furthermore, most debtors needed to find other villagers who would place their own wealth at risk as third-party underwriters, offering again an effective external control on labor and husbandry.

Villagers were subject to radical changes in labor and capital markets, both of which shifted the terms of trade and the flow of resources between the village and the outside. Inside, the land market was driven by an increasing willingness for self-exploitation. As we shall see, the price of land rose at a rate which far outstripped the price of labor or that of any commodity. This was made possible by the enormous new inputs of labor and was conditioned by the reciprocal action of the capital market, which on one hand offered the financial power for competitors to drive up the bidding and on the other increased the percentage of land subject to servicing debt.

The commodity markets also underwent considerable changes during the period. Any discussion of small peasant agriculture during intensification must take into consideration the fact that villages and villagers developed new specializations. Studies of productivity have often concentrated on comparing yield data for a single crop such as wheat, but small peasant producers were extremely sensitive to market possibilities and usually put their energies into some other crop such as flax, hemp, vegetables, hops, fruit, or industrial dyes. Peasant specialization involved the development of unique marketing networks and specific connections with external markets. Neckarhausen sold its flax in Baden (and indeed developed the reputation for producing the best raw flax in southern Germany), a nearby village shipped snails to Bavaria, and another one saw the convergence of international buyers at its annual seed fair.

One of the most powerful influences on modern peasant studies has been Chayanov's notion that the peasant farm household was a viable economic form even in an environment dominated by capitalism. As a result, interest has become focused on the productive estate and on developing a management decision model of peasant production. In general, the Chayanov argument suggests a balance between the labor effort of a household and its consumer demands. This book suggests that the history of production in Neckarhausen in the context of capital investment and intensification involved a reorganization of the sexual division of labor, labor migration, interhousehold exchanges of labor and equipment, and specialization for new market opportunities. None of these essential changes is handled well from the Chayanov perspective. We will also find that the "household" was permeable and that the interconnections between households continually fractionalized, multiplied, and were redrawn, that they involved a multiplicity of dependencies and were organized



## *Agricultural innovation*

hierarchically, and that the use of resources was continually reshuffled. The peasant household model flattens out history and disguises essential changes in the utilization of land, labor, and capital.

### **Agricultural innovation**

Württemberg may well have been characterized by small holdings, but the process of fractionalization that set in during the eighteenth century was accompanied by the systematic adoption of intensified agricultural techniques. Agronomists have left us a picture of innovation and experimentation developed first on large English estates and then propagandized by state agencies throughout the rest of Europe. Despite a nod or two in the general direction of the Low Countries, this picture ignores the fact that intensified rotation practices had long been in use in Holland and the Rhineland, and often on small holdings. To fully understand the dynamics of the agricultural revolution, one must take into account the mobilization of the ever-increasing labor force of the eighteenth century. The new agricultural technology was above all labor-intensive, and innovation in the agrarian sector has to be seen in the context of labor utilization in the economy as a whole – the “makeshift economy” of Olwen Hufton – and in the context of the development of protoindustrialized production. In fact, the original insight of Franklin Mendels was that agricultural innovation was rooted in the smallholding regions of poor soil in Flanders, where protoindustrialized production was an aspect of intensified labor as a whole, and not in the nearby areas of large farms with rich soil.<sup>50</sup>

Our argument suggests that a certain population pressure was necessary for carrying out the kinds of innovation associated with the agricultural revolution.<sup>51</sup> And villages did not wait to be told what to do by agricultural experts. They recovered waste areas on their own, petitioned tithe holders to allow innovations in cropping, negotiated with shepherds to restrict grazing on newly planted fallows, substituted oxen for horses with consequent innovations in fodder crops and the introduction of stall feeding, introduced new crops into the rotation through trial and error, shifted many resources into the intensive cultivation of flax and hemp, and completely revolutionized the sexual division of labor.

Three-field rotation turned out to be very adaptable, and producers in Neckarhausen as well as all over southern Germany were able to develop complex rotation patterns. The interspersing of strips as such did not impede productivity, and the practice was not substantially modified. In fact, the highly

<sup>50</sup> Franklin F. Mendels, “Industrialization and Population Pressure in Eighteenth-Century Flanders” (Ph.D. dissertation, University of Wisconsin-Madison, 1970); idem, “Agriculture and Peasant Industry in Eighteenth-Century Flanders,” in Peter Kriedte, Hans Medick, and Jürgen Schlumbohm, *Industrialization before Industrialization*, pp. 161–77.

<sup>51</sup> See the anti-Malthusian argument of Ester Boserup, *The Conditions of Agricultural Growth: Economics of Agrarian Change under Population Pressure* (Chicago, 1965).

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mechanized, intensive agriculture found in Germany today is still carried on in "open fields" with interspersed strips. The rationality of small peasant production should not be measured directly against that of large estates. Nor does it make sense to use one crop such as wheat as a standard of the success of large versus small enterprises. One has to pay close attention to the whole economy of small peasants, who frequently concentrated their energies on crops for which they had a competitive edge. For example, large estate holders could not breed stock as cheaply as peasants nor could they afford the skilled labor to train ox teams. The efficiency of estate production was predicated on the fact that crucial costs were borne by self-exploiting small producers.

It is also not at all clear that breaking up communal lands and putting them under individual ownership was economically progressive. Certainly the move to parcel them out often came only on the heels of considerable communal investment. In Neckarhausen, the village continuously recovered wasteland and managed it flexibly and innovatively. Various plots were shifted from pasture to fodder crops to fruit or to commercial crops in tandem with the changing production schedules of individual villagers. Such investment required the financial strength of the village as a whole and the collective organization of its labor force. And the success of individual production was predicated on the considerable new inputs of the village community into protection agents, agricultural specialists, and agricultural services.

## **Stratification**

The particular history of stratification in Neckarhausen was the result of a combination of factors: institutionalized partibility; fractionalization caused by population pressure; the expansion of employment in building, construction, and navying outside the village; the production of cattle, flax, hemp, and cloth for the market; and an alliance between state officials and the village oligarchy. Similar conditions existed in much of southwest Germany and the Rhineland, although the nature of village and regional specialization in each territory gave it a particular cast, and the timing of state policies and the peculiarity of state institutions and fiscal structures clearly affected the rhythms of change and the chances for accumulating wealth and power. In Neckarhausen, the more differentiated the economy became and the more that wage labor spread in agriculture and industry, the more tightly the proportionally ever smaller group of agricultural producers monopolized village magistrate offices and dominated the social and political life of the community.

"Even when a group was ostensibly defending class interests, it often happened that the latter were in fact merely a mask for family interests."<sup>52</sup> There was a language of class in Neckarhausen, but it was largely overshadowed

<sup>52</sup> Jean-Louis Flandrin, *Families in Former Times: Kinship, Household and Sexuality*, trans. Richard Southern (Cambridge, 1979), p. 2.

## Stratification



A smallholder's "Einhaus," with living quarters, barn, stall, and shed under one roof.

by the language of family. Occasionally people out of power referred to the "patricians" (*Ehrbarkeit*), or the lower villagers (larger houses, peasants) spoke about the "upper villagers" (smaller houses, artisans), or the pastor described the pauperized and proletarianized villagers. But, overwhelmingly, the language of class was expressed through family and kinship terms – "good householder," "trashy lot," "the Hillers," and so forth.

The concept of "stratification" is, in fact, quite inadequate to grasp the social processes in a village like Neckarhausen. The geological image it connotes is too static, and it masks crucial interconnections with kinship. After all, the flow of property was regulated and channeled through family and kin. Although there were times in the village when the distribution of resources was inheritance driven and times when it was regulated largely by the market, cutting across these shifts were compensating shifts in the alliance system. A large market in land was counterbalanced by tight familial endogamy. In general, it seems safe to say that endogamy among kin, first practiced around 1750 by the political elite of the village, which by no means coincided with the economic or occupationally leading groups at that time, led to endogamy within economic strata. But the relationship remains complex, and much of this volume is devoted to exploring the way family alliance formed the mechanism through which class relations were managed and reproduced.

Up to now, kinship has not been a central category in the social analysis of

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European populations. It has often been seen as something ascriptive, and so the map of social history has looked something like “from kin to contract.” A great deal is determined by where the observer stands. From a distance, differences become less sharp and people appear groupable in large, loose categories, which themselves become the characters in the particular story one wants to tell. The closer one looks, the more kinship and family appear to be the operative structures in which values are formed and meaningful action takes place. But we do not yet have the tools to generate theories about this kind of thing. Practice remains at the level of family and theory at the level of class. What we need are accounts of exchange, alliance, and reciprocity at the local level, at the level of practice, before we can begin to give an account of how practices connect up. Foucault puts the problem this way:

One must suppose rather that the manifold relationships of force that take shape and come into play in the machinery of production, in families, limited groups, and institutions, are the basis for wide-ranging effects of cleavage that run through the social body as a whole. These then form a general line of force that traverses the local oppositions and links them together; to be sure, they also bring about redistributions, realignments, homogenizations, serial arrangements, and convergences of the force relations. Major dominations are the hegemonic effects that are sustained by all these confrontations.<sup>53</sup>

## Gender

St. Paul distorted matters when he overstressed the unity of the marital pair. Once such a conceptual move is made, then the family has to be seen as some kind of a small state with husband and wife ordered on hierarchical principles or the one spouse absorbed into the sphere and meaning of the other. St. Paul’s borrowed model has always been useful for representing the family according to dominant norms of some kind, but it is a useless sociological tool. It has been part of Western culture and is therefore always part of every familial equation if for no other reason than as a rough map of an ideal terrain. But social historians find a better tool in the concept of alliance, which recognizes that both the husband and wife remain right-bearing persons and that they are inevitably connected differentially to kin, neighbors, and church and state officials. Both power and resistance are always part of marital relations, but there is no straightforward history to tell about improvements for women or men, greater independence, or more prestige.<sup>54</sup> One of the reigning myths about modernization is that when women withdrew from production they destroyed a good deal of their autonomy and status. Neckarhausen offers an instance in which women were brought into production of the main marketable agricultural products. And it did affect the balance of trade between husbands and wives, and all of

<sup>53</sup> Michel Foucault, *The History of Sexuality*, vol. 1: *Introduction*, trans. Robert Hurley (Harmondsworth, 1981), p. 94.

<sup>54</sup> On power and resistance, see Foucault, *History of Sexuality*, pp. 92–6.

## Gender

their relationships were reordered during the period of transition to intensified agricultural production. Not only was the alliance between marriage partners redrawn in terms of the composition of their estate, the rules for governing marital property, their work schedules, and productive routines, but the nature of the kinship alliance and its reciprocities were also thoroughly restructured. Women developed new strategies for collaborating with the pastor and secular authorities and asserted their right to protection from attacks on their property and in a derivative fashion from attacks on their bodies.

Is it possible, then, to draw up a balance sheet to talk about greater autonomy for women? Such a question moves the inquiry away from alliance, which was its starting point. Globally speaking, there is not much meaning to the construct "autonomy," and history maintains a deeply ironic set of account books. Indeed, some have argued that freedom lies in interruptions of exchange or that alliance inevitably compromises self-direction, salvation, or whatever connects the individual to some sort of transcendence.<sup>55</sup> The point for us is to be as precise as possible about the living conditions, resources, strategies, and restraints of those who lived in Neckarhausen. We will want to know exactly what men and women did: how they held and managed property; how they formulated arguments; what precise values they had recourse to; what institutions, laws, and administrative controls they were subject to; and where they sought succor, support, and assistance. Santayana observed that it is impossible to be religious in general. And he might have added that it is impossible to be anything in general. Lives are always lived locally, and if the material does not overwhelm them, then the concrete does. The inhabitants of Neckarhausen do not exemplify some kind of generic peasantry, nor are the wives sisters to all other women who might concern themselves with their lives.

In this analysis, I have tried to look at several issues having to do with gender relations – work, production, marketing and the use and enjoyment of products and proceeds. Issues of autonomy and self-determination were affected differently for each of these aspects. For example, in the eighteenth century, women were not involved very substantially in field crop production, they did not have much say about marketing such crops, and their work routines went by without much comment from men. When they became substantially involved in agricultural and handicraft production, they had a great deal to say about the sale of the joint product and the schedules of consumption from the cash receipts, and men became observers of their work. Thus, just at the time when they began to take a greater share in the management of the agricultural enterprise, the autonomy of their labor routines disappeared. A similarly ambiguous shift took place with regard to property ownership and management. Until the third decade of the nineteenth century, women were always under gender

<sup>55</sup> For scattered examples, see Peter Brown's discussion of patristic ideas of sexual alliance, *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity* (New York, 1988); Rousseau, *Discourse*; Sheila Jeffreys, *The Spinster and Her Enemies: Feminism and Sexuality 1880–1930* (London, 1985).

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tutelage. They could never sell or alter the conditions of real property without the permission of their fathers, husbands, or guardians. However, institutional safeguards offered them substantial protection against their husbands, who could not carry out any transaction affecting a wife's property without going before a court and obtaining her consent, as advised by her court-appointed legal guardian (*Kriegsvogt*), who was almost always a close relative. In the 1820s gender tutelage was abolished, and a wife was free to sign her own property away or encumber it as she wished. This "autonomy" was in effect designed to make her property available to underwrite her husband's business activities and his debts.

### **The state**

The family is not an institution that can be opposed to the state, at least in any simply way. It would be hard to specify any aspect of familial relations in Germany in the early modern period which was not shaped in the crucible of state power. Yet the entry point for officials changed once the state learned to mobilize its resources and had gained several centuries of administrative experience.

I suggest that the state's interest in the family from the sixteenth to the eighteenth centuries was dominated by fiscal concerns and thereafter by productivity issues.<sup>56</sup> This shift was made possible by the long experience with measuring and listing land and tax liabilities. A large part of law giving from the mid-sixteenth century onwards was concerned with property law. Overall, there was a concentration of state effort in the processes of social reproduction. In Württemberg, the inheritance customs of each village were surveyed and a single law code promulgated in 1555. And a continual stream of emendations, corrections, and clarifications issued from Stuttgart over the next two hundred years. Detailed prescriptions were also laid down about the conditions of marriage and the degrees of incest prohibition. Accompanying the legal codes were a whole series of bureaucratic implements to ensure compliance. Beginning in the 1550s and 1560s, every baptism and marriage was registered. Around that time, officials revised or established cadastral surveys, and by the turn of the century, land tax volumes were set up in each village. The law codes insisted that each marriage begin and end with a complete and detailed inventory of all assets and debts held by a couple, and they set forth the conditions for maintaining vast public archives for such documents. Accompanying the detailed inventories of family holdings were volumes tracking all dispositions of real estate, whether by sale, trade, or gift. The state provided a marriage court to adjudicate between parents and children over the timing of marriage and the selection of mates and between husbands and wives over the consummation and dissolution of marriage and to regulate age discrepancies and permissible

<sup>56</sup> A parallel argument is offered by Foucault, *History of Sexuality*, pp. 135–59.

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A wine cellar from the late eighteenth century.

degrees. At the local level, village elders fought to put control of the marriage market into the hands of family heads by keeping a watchful eye on such institutions as spinning bees.

The ideological collection point for all of the state activities in the second half of the sixteenth century was the notion of the well-ordered *Haus* under the administration of a *Hausvater*. Such a social formation cannot be understood outside of the dynamics of state fiscality – the drive to measure land, ascribe clear tax liabilities to it, and to track each piece as it moved from hand to hand. Considerable institutional complexity developed to ensure the adequate reproduction of the Haus and to protect the state against any default. The strategies of individuals were worked out within these institutions. Children negotiated with parents over property settlements, which were recorded, audited, and revised by inventory officials. A son-in-law who did not demonstrate sufficient diligence for his father-in-law might find his entire holdings subject to a humiliating village audit. Husbands and wives played out their squabbles in the law courts over issues of property management, inheritance, and the like.

In this early period, the logic of the state's intervention may well have proceeded from fiscal concerns, but from the point of view of villagers, many arrangements and procedures became internalized and were regarded as essential services to be expected from the state. A particular inheritance regulation may have violated the old custom of a particular village, but once in place for a generation or so would become part of the observed rule structure. In

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the two hundred years following the great law codes, state officials refined their ability to measure and track land, to limit mortgages and secured debt, and to audit individuals in danger of tax default or bankruptcy. Individual villagers used state-supplied institutions to assert their rights, develop strategies of aggrandizement, or maintain defensive alliances. By the early eighteenth century, officials had had sufficient experience to be able to develop a sophisticated land classification scheme to assess differential productivity. On that basis a thorough tax revision could be undertaken and a more rational, efficient, and precise fiscal policy developed.

During the course of the eighteenth century – after several centuries of measuring, tracking, and bureaucratic mobilization – state ideology began to put less emphasis on particular rights and obligations and more on productivity. By the time villagers clamored for the right to innovate in the field rotation system, officials were ready to see that increased productivity over the long run took precedence over the short-run protection of tithing rights. They were also quite willing to ally with wives, in contradiction to prevailing notions of gender hierarchy, in the interest of more efficient family production. In any event, the logic of state intervention shifted from property surveillance, measurement, listing, and appropriation to disencumbering, mobilizing, innovating, and development. We will be concerned with how this shift affected the strategies of husbands and wives and parents and children, and how the reciprocities of kinship were redrawn. Here we must be aware that root paradigm shifts such as that from rights to growth (fiscality to productivity) refashion not only the way officials and agencies interact with families, but also the way family members interact with each other.

The argument in this book is organized around four main topics: social and economic change, sources, and concepts (Chapters 1–3); the relationships between husbands and wives (Chapters 4–9); the relationships between generations (Chapters 10–13); and kinship and the transfer of property (Chapters 14–16).

Chapter 1 deals with the social and economic context of Neckarhausen village life and with Württemberg as a whole. Almost everyone was tied in one way or another to the logic of agricultural production throughout the period 1700 to 1870. Social dynamics took place within a situation which broke up or endangered property accumulations in each generation. Until the 1850s, strategic alliances between the state and village patriciate were determined by the fact that a large percentage of what was appropriated in rents, dues, and taxes was taken in the form of produce. And the interlocking interests of regional officials and the village oligarchy were also closely tied up with regulating village indebtedness. Over the period, social differentiation followed on the heels of population expansion, new labor conditions, and more effective forms of class exploitation. Artisans played an important role in eighteenth-century village life, followed in the nineteenth century by building and con-



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struction workers and farm laborers. By the 1760s, villagers were pressing for the reform of agricultural practices and began substituting new crops and developing the basis for intensive stock raising.

One of the important concerns of this study is the mobilization of women's labor, which had its own specific meaning in the context of small peasant production but which was part of a more encompassing change accompanying the agricultural revolution in Central Europe. The intensive hoeing which characterized the new fodder crops fell primarily to women. For intensive sugar beet cultivation in the estate regions of north-central Germany, this affected migration patterns and the utilization of mass labor. In the small peasant regions of the southwest, family work schedules, the terms of exchange between marriage partners, patterns of consumption and the use of time, and authority relations were all affected by the sexual division of labor.

We know about most of these matters because of the abundant records from village tribunals concerned with adjudicating disputes and arresting deviant behavior. Chapter 2 presents an account of the village constitution and the articulation of local officials and institutions with ducal and royal bureaus. It explains why Württemberg had such an unusually rich set of records, minutes, and protocols and how they can be read. This leads into a consideration of the strategies of negotiation between the parties to a dispute, the judges, and the recording officers. The exigencies of narrative style determined the form of such documents, which conceal just as much as they reveal.

Throughout this study, a comparative perspective is provided to help the reader understand the particular workings of the social system under consideration. One of the themes herein is that detailed examination of specifics sheds considerable light on important theoretical and conceptual issues. Before the records can be analyzed, however, certain terminological difficulties need to be cleared up. Thus Chapter 3 presents several different social scientific and historiographic traditions concerned with developing an analytically useful concept of the "house." It then becomes possible to examine closely the notions contemporaries used to grasp family processes and to use them to critique modern scientific preoccupations.

Social scientists whose starting point is the individual use certain concepts to sort out and label the constituents of collectivities, of groups of individual people, attitudes, and values. By and large their theoretical practice is limited by this irreducible taxonomic core.<sup>57</sup> A good case in point is the quixotic cam-

<sup>57</sup> A consideration of these issues in a discussion of Jürgen Kocka's theory of social history is to be found in David Sabean, "Zur Bedeutung von Kontext, sozialer Logik und Erfahrung," in F. J. Brüggemeier and J. Kocka, eds, "*Geschichte von unten – Geschichte von innen*": *Kontroverse um die Alltagsgeschichte*, Publication of the Fernuniversität Hagen (Hagen, 1985), pp. 52–60. For Kocka's inadequate answer: "Antwort an David Sabean," in *ibid.*, pp. 61–9. See also Norbert Elias, *The Court Society* (New York, 1983), pp. 1–34; and Edmund R. Leach, "Rethinking Anthropology," in *Rethinking Anthropology* (London, 1961), pp. 1–27; Louis Dumont, *Homo Hierarchicus: The Caste System and Its Implications* (Chicago, 1970), pp. 1–11, 39–42; and *idem*, *From Mandeville to Marx: The Genesis and Triumph of Economic Ideology* (Chicago, 1977), pp. 3–24.

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paign to sort out all the world's households into a single onomatological set.<sup>58</sup> The point of such an exercise has never been fully apparent, but what has not been sufficiently remarked upon is that it shares the inadequacy of its starting point with a large number of other sociological programs. This does not mean that concepts are not fundamental for good historical or social analysis, but they do have to be adequate for maintaining contextual discipline by starting not with individuals but with relationships. It would be quite inappropriate, for example, to talk about fathers or husbands as such.<sup>59</sup> Both terms are radically correlative – father and son, father and daughter, father and fetus, husband and wife – just as the household is a locus of relationships and not an enclosed entity, however defined. One objective of this discussion is to convey a sense of the complex transactions which took place in households and to give a systematic account of the logic of relations and of the different forces, words, objects, and exchanges which mediated them. The concepts sought are ones that will ferret out the relations which dominated and provided structure and thereby help the reader to grasp process and historical change and to understand the mediations between practice and constraint. Two sets of crucial household relations are considered in this volume. At the outset, we concentrate on husbands and wives, in order to recover the changing logic of the internal relations of the house while giving a preliminary account of a couple's alliance as part of a wider system. Next, we examine relations between parents and adult children, moving in turn to the interrelationships between houses, then to hierarchies, dependencies, and the allocation of resources.

Chapters 4 to 9 deal with relations between husbands and wives. Many of the available sources exist precisely because particular couples were in such conflict with each other that they took matters to a court where the proceedings became part of the public record. They aired their disputes before the pastor and church elders (consistory) or before the secular officials (*Schultheiß* (chief administrative officer) and *Richter* (members of the village court, or *Gericht*)). In many cases, their purpose was simply to have the problem recorded, or, in their parlance, to *protocollieren*. This was often theatrical enough by itself to reestablish the household's "private" face. But a protocol could be just one of a string of episodes causing officials to become more and more involved in internal family affairs. We will simply offer an overview of the configuration of disputes, from which we tease an account of the claims, obligations, and expectations couples negotiated before the courts. The instances of marital conflict also provide an opportunity to examine the language of abuse for changes in the symbolic content of the most direct and compressed expression of value. At this preliminary stage, we provide considerable evidence of

<sup>58</sup> Peter Laslett, "Introduction: The History of the Family," in Peter Laslett, ed., with the assistance of Richard Wall, *Household and Family in Past Time* (Cambridge, 1972), pp. 1–89, esp. 28–51.

<sup>59</sup> This point has been made nicely by Jochen Martin, "Zur Stellung des Vaters in antiken Gesellschaften," in H. Süssmuth, ed., *Historische Anthropologie* (Göttingen, 1984), pp. 84–109.

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a striking change in discourse about marital relations after 1800, which adds up to a veritable crisis in the household.

Chapters 5 and 6 examine issues connected with production and expand upon several of the patterns of conflict discussed in Chapter 4. A question of particular interest is how spouses constantly renegotiated their rights and responsibilities and reformulated their exchange relationships as the sexual division of labor underwent significant changes prompted by agricultural intensification and as the nature of work itself became restructured with the introduction of new crops and the integration of the village into a regional labor market. Population growth, increased social differentiation, and the pauperization of large parts of the community all significantly altered the terms of marital alliances. In fact, between 1800 and 1840, separation and divorce became common and were accompanied by new forms of violence and more types of abuse.<sup>60</sup> Associated with these changes was a novel discourse within families about household financial management, drinking, and housewifery. Therefore an attempt is made to delineate forms of exchange within the house; gender rhythms of activity; ideological and cultural models of order; alliances with neighbors, kin, and officials; and particularly critical points of contact between spouses.

Chapters 7, 8, and 9 turn to the dynamics of property holding. Although property is not the only thing which mediates relationships, no relationship escapes its formative power entirely. It is something which is continually talked about in peasant society, and its terms change as the context of that discussion changes. In Neckarhausen, strategic discourse depended on a particular family's position in the village hierarchy, the nature of its alliances, and the size and nature of the resources it controlled. Sometimes property claims were spelled out in written documents, which could be public or purely private in character. Sometimes negotiations were staged with important kin and relatives present, at other times with local officials. Family memories were embedded in different institutional and ad hoc arrangements, all of which afforded a couple and their kin endless possibilities for tactical and strategical moves.

The main concern in Chapter 7 is to lay out the details of formal negotiation about property. In Neckarhausen, the act of marriage was a fundamental part – but only a part – of a progressively formed alliance between spouses. In pre-nuptial negotiations, kinfolk gathered together to set the terms of exchange. At the final dissolution of a marriage, when a complete account was fixed in a concluding inventory, it was not unusual for 20 or so kin to gather together to dispute the reckoning. Between these two points there could be pacts, inventories, testaments, gifts, sales, and retirement contracts, each with representatives of the wider family present or not, depending on the rules of the particular transaction or the desires of the parties. Through the details of the system

<sup>60</sup> How unusual this was can be seen in Roderick Phillips's new history of divorce, *Putting Asunder: A History of Divorce in Western Society* (Cambridge, 1988).

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Day-laborer/petty craftsman cottages.

of rights and obligations, property can become a flexible instrument for social analysis.<sup>61</sup> It enables us to explore marital reciprocity, for example, as a fundamental point within a larger context of reciprocities between groups of allied kin. We must not forget, however, that property as such was owned by individuals and couples and that they determined how it would be held, managed, and transferred. It is not that the kin group devolved property onto them so much as that they used kin as powerful instruments in defense of their rights. The chief interest of collateral relatives in the property situation of a particular couple was to see that rules were followed and values respected so as to secure themselves in their own expectations and management of property. Kinship provided an arena of concentrated involvement, which was derived less from residual claims to property than from a clear sense of obligation based on reciprocal exchange.

In Chapter 8, the focus shifts from ownership of familial property to its management. Every region in Europe had its own set of rules for the aggressive defense of resources and for sorting out gender-specific claims and duties. In much of the recent literature on property, loose connections have been made

<sup>61</sup> The classic statement is by Jack Goody, *Death, Property and the Ancestors*, pp. 273–327. See also the argument by Hans Medick and David Warren Sabean, “Interest and Emotion,” pp. 9–27; and David Sabean, “Aspects of Kinship Behaviour and Property in Rural Western Europe before 1800,” in Jack Goody, et al., eds., *Family and Inheritance*, pp. 96–111.

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between individualism and private property, even though the content of individuality has been left largely unexplored. And it is not at all clear what bearing such discussion has on gender. Were women whose ownership disappeared with marriage less individualistic than their husbands? Or were their personal characteristics derived from their men, who provided a model for them to copy? Such questions are complex and cannot be discussed without some knowledge of how the system works. It is particularly important to understand the difference between ownership and management, the formal and informal institutions for controlling behavior, and the forms of recourse spouses had with respect to each other.

Rules and institutions are one thing, but it makes a great deal of difference whether a couple shares 1 acre or 20, tills land or makes shoes, owns a horse (plows for others) or a cow (cooperates with others in plowing), possesses a wagon and harrow or only a rake and hoe – in short, the nature of the mediation is fundamental for establishing a set of relations. And it makes a difference, too, whether property links families of different wealth and social standing or whether it serves to reinforce lines of stratification. Chapter 9 examines the composition of what we might call the “marital fund.” The pertinent questions here are whether husbands and wives were equal to each other in the amount of wealth they brought to a marriage, whether marriage was a point of mobility, how a larger discourse about wealth and social standing related to marital strategies, what role marriage played in the social distribution of resources, and how family and class dynamics were interconnected.

Chapters 10 to 13 are about the relations between parents and adult children. Property not only provides a central focus of negotiation between spouses, but it also marks periods of transition between generations, demarcates areas of competence, and creates bonds of dependence. We must not think of property simply as a set of rules or hard structures, an account of which exhausts analysis. Property can focus attention and create expectations, provide opportunities to exhibit skill and character, and establish connections and cooperation or points of resentment and disruption. The fact that many small dramas repeat stereotypical performances attests to the power of the syntax established by property dynamics. But, like any language, its structure provides endless opportunity for innovation and creativity. Take the story of a younger daughter on a Saxon farmstead, who was repeatedly told by her parents that she was the child specially adapted to farm work, and that she had a unique touch with animals and a deep understanding of the rhythms of nature. That litany meant for her that she would inherit the farm instead of her older sister. Every pat on the head was a message about future expectations, the kind of husband she would find, the allocation of resources. She delayed her departure from the house and worked to maintain the substance of the farm during years of maximum productivity. She boiled over with indignation when her parents passed the farm on to her elder sibling. Every part of Western Europe has dealt with these matters in different ways, and while culture was built up through

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everyday considerations of real things, its direction was never predetermined, and any acquaintance with the variety of rural social forms demonstrates the endless creativity of the active appropriation of circumstance.

In Neckarhausen, two values seem to have marked the relations between generations: a preoccupation with treating all children equally and a shrewd sense that they should be set up in the world hungry. Adult, married children were independent and dependent in a curious mix, and the turnover in generations was never abrupt, but took place as a long-drawn-out process. Current accounts of peasant societies pay too much attention to the formal and most general aspects of ownership and inheritance and not enough to the details of production, labor utilization, and the interrelationships between separate farm enterprises. Neckarhausen offers a chance to examine peasant social dynamics in a situation where parents did not see themselves as trustees of lineal property, where rights in ownership were always specific and allocable, where parents and children established separate economies, where households assembled bits and pieces of real property which had no organic links with each other, where living space was divorced from property devolution, where the labor of children or parents was exchanged for cash, where the elderly did everything they could to maintain separate economies, where adult authority was not derived from property management, and where honor was dependent more on individual actions than on membership in a "house." Methodologically, we will handle these matters in two ways: first by a detailed examination of family histories (Chapter 10), and second by a systematic consideration of key issues such as access to capital equipment, the allocation of labor, and the life cycle of land ownership and craft production (Chapter 11).

Besides the continual negotiation over land and labor within families, there was also a set of general cultural values and state ideologies which played a central role in individual strategies. This theme forces us to consider the discipline exercised on the younger generation and how that discipline was justified during an early period marked by an ideology of patriarchal authority, in contrast to the following one in which competing state institutions intervened directly into internal family affairs (Chapters 12 and 13). The discourse of property also changed as the system of social stratification altered, accompanied by class endogamy, a more aggressive defense of family wealth, and a harsher interplay between groups of villagers.

The last three chapters of the book are concerned with the general problems of encumbrances on property and the alternative mechanisms for distributing resources in the society. There are two competing views about peasant family dynamics which fit similar phenomena into different schema. In one view, the family is a peculiarly moral unit, which takes care of its sick, mentally deficient, and elderly, but in the other the family is characterized by abandoned parents, rejected kin, and moral squalor.<sup>62</sup> Exactly how the available evidence can be

<sup>62</sup> The issues are summed up in Macfarlane, *Origins*, pp. 66-79, 83, 141-4.

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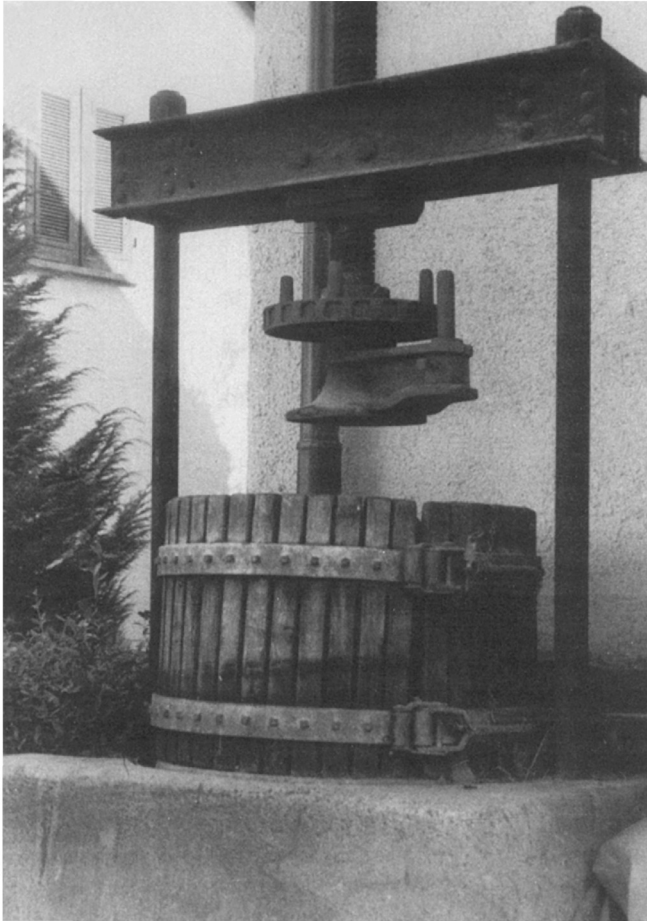
used to arrive at a general set of values is a difficult problem, but we can talk more easily about how people justified the care they gave, how they ensured their own continued subsistence, and how they modeled relationships between generations at different points in the life cycle. I hope to show that the central mode of justification of the Fifth Commandment was exchange. Respect was due to parents because they were the source of wealth, and in terms of expressed value at least, the amount of effort – labor, services, produce – to be expended was directly proportional to the amount of property passed on. To understand the nature of negotiations between generations, one must look at retirement contracts, annuities, the allocation of land and buildings, conditions on sale, and the rights of lineal redemption (Chapter 14).

The second issue has to do with the mechanisms for distributing resources. It takes us to an analysis of the real estate market (Chapter 15). There has been considerable discussion about the degree to which market forces constitute familial relations, and attention has been focused on the problems of encumbrances on property, the degree of formality of transactions, the number of transactions, and the volume of trade. As might be expected, all of these matters changed significantly with the increase in population, innovations in agriculture, and the general monetization of relationships. Nonetheless, the startling finding is that the market did not transform the system of exchange in a linear fashion. Furthermore, the formal aspects of the land market are only half the story. Parents and children bought land and other real estate from each



An orchard meadow.

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A cider press.

other in varying proportions over the study period, and their transactions were part of the larger market that was more or less dominated by kin (Chapter 16).

One of the reasons for undertaking this study was to document a particular rural social system as closely as possible. When I began, there was a general consensus that before “modernization” people lived in a world of kinship and that industrialization, mobility, and altered institutional arrangements brought the isolated nuclear family into being and reorganized society so that it moved away from solidarity toward competition and away from corporate groups to individuals sorted out into classes. Neckarhausen is a challenge to that sort of a linear story. As mobility came to dominate part of its work force, as agricul-



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ture was intensified and capitalized, as social strata in the village became more pronounced, as a land market came to be important in distributing resources, as most forms of feudal and familial encumbrances on property were done away with, as land was fractionalized, as producers became progressively tied into labor and product markets, and as a large part of the village became dependent on wages, kinship became more rather than less important. Close kin developed a flexible set of exchanges, passing marriage partners, godparents, guardians, political favors, work contacts, and financial guarantees back and forth.

What we find in this study are activities, structures, processes, and logics that simply are not visible outside of the local context. This, of course, does not mean that similar formations were not to be found elsewhere. If we want to know about the content of this “premodern” kinship system, we can only get at it by patiently tracing out genealogies from small geographical regions and piling up examples of kin actually interacting. If we want to recover the tenor of marital relations inside a particular context of production, we have to examine all the anecdotes we can find for the logic of confrontation, the strategies of subsistence and survival, the fabric of rights and obligations, and the coherence of life trajectories. If we want to understand the moral and social relationships which bound together and divided houses and families, we have to examine in detail the tactical language, spatial interaction, and practical everyday exchanges. This is no Montaillou, whose inherent interest lies in the uniqueness of its documentation and the strangeness of its social discourse. This is Neckarhausen, one of several villages with more or less the same name, whose stories can only reveal a strange world if we can penetrate the banality of repetitive written texts and fix our gaze on the everyday representations of social reality from the inside.