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Land markets, family strategies and manorial control in Germany (18th–19th centuries)

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I. Introduction

Because of the current state of research an article on rural land markets in Germany during the eighteenth and nineteenth centuries could hardly give more than an outline posing questions and making suggestions. The focus will be on the importance which manorial control, longstanding village customs and current strategies of the peasants had on the scale of market transactions and the modes of fixing prices. My reflections have been prompted initially by the stimulating results of Giovanni Levi (Levi, 1986: 75–106) concerning the land market of Santena in Piemont during the seventeenth century and the findings of Gérard Béaur (Béaur, 1984) concerning the land market of the countryside surrounding Paris. The French villages showed a different mix of socially fragmented markets which functioned according to specific rules. My preliminary heuristic approach for Germany also distinguishes between a market for large estates, and a market for farmsteads and farmland, on which this paper will primarily focus.

II. Noble Estates

The market for large estates needs only a short treatment. They show a quite different performance depending on whether the estates in question were noble ones, which secured access to political corporate bodies, or just large farms that should mainly make a profit. The fixing of the price could also be influenced by the right to exercise manorial jurisdiction (Patrimonialgerichtsbarkeit) or other prestigious forms of local authority (Ziekursch, 1927: 121–125). Moreover, it was crucial whether these estates were subject to feudal law, as was the case in the west of Germany, or whether they were regarded as unrestricted private property (Allod) like the manors in Prussia since 1721 (Ziekursch, 1927: 53–61, 328–329, 402–407; Henning, 1976: 176–188; Abel, 1978: 337–340). The still authoritative study on mortgage credit in Prussia by Weyermann has shown that it was also important for the determination of the price whether the ownership of an estate gave access to privileged credit institutions (Landschaften) or whether the owners had to resort to the private credit market just like everybody else (Weyermann, 1927: especially 87–114; Ristau, 1992). All these factors influenced the attitudes of owners who could look upon their estates as profitable money investments, but for the most part mainly looked for a means of social and cultural distinction (Hagen, 2002).

1 I am grateful to Axel Flügel for the English translation of this article.
During the eighteenth century noble estates would normally not be divided when they were sold, but because of the specific prestige and the political rights connected with them, they were transferred undivided to noble buyers and more and more also to buyers from the middle-class (cf. Flügel, 2000, for middle-class owners of noble estates in the electorate of Saxony). This does not mean, however, that these estates were always run as large farms. In many parts of Germany they were sometimes split up and leased out separately to a multitude of peasants. Former tenants often acted as buyers when such estates, which had already been parcelled out, were sold in the wake of secularization and the appearance of liberated land markets cleared of legal restrictions (Cf. the study on secularization and mediatization in the territories west of the Rhine by Müller, 1980: esp. 138–157; Schieder/Kube, 1987: 97–98). With the exception of studies by Reif on the nobility of the bishopric of Münster, by Pedlow on Hessian nobles and by Buchsteiner on Pomeranian noble estate owners there is very little known about the family strategies of sellers and buyers in land markets. Their evidence suggests that the traditional, politically privileged nobility experienced a crucial period at the turn of the nineteenth century, which endangered its standing in society and its economic basis alike. But in the course of the nineteenth century these families splendidly surmounted most of the crisis, and secured their standing on the basis of the property of real estate that was gradually cleared from debt. They were helped in this by the emergence of a liberalized land market, because now it became possible to add farmsteads and plots to an existing estate and thereby round it off. The funds necessary were earned in time by the redemption payments of the peasants (Reif, 1979: esp. 223–230; Pedlow, 1988: 55–153; Buchsteiner, 1993; Buchsteiner, 1994; Buchsteiner, 1999; Hagen, 2002: 280–333 and 593–643. For redemption capital and its employment see Winkel, 1968).

Nevertheless, the ‘free land market’ that had barely emerged in many parts of Germany came immediately under fire. Around 1800, Albrecht Daniel Thaer still advocated with verve the unlimited saleability of land to promote a transfer of land ‘to the better manager’ (Wanderung des Bodens zum besseren Wirt) in order to improve the standard of agriculture in general. But afterwards the debate followed a socially conservative line throughout the nineteenth century. Estate owners and large peasant farmers often formed a coalition that did reap the profits of free mortgage borrowing on the one hand but still would not accept the economic risks of a free-market economy on the other hand. Agrarian lobbyists and conservative politicians lamented about the allegedly widespread ‘slaughtering of estates’ (Güterschlächterei) because thereby productive units of peasant farms and estates would be broken up and they would fall into the hands of smallholders and labourer-peasants who could only act unprofessionally. The effect had to be a disaster for the national welfare and the social stability of the villages. A statistical survey by August Meitzen published in the years 1868 and 1869 proved how unwarranted these prophecies of doom were (Meitzen, 1868: 471–510; Meitzen, 1869: 306–327). He summarised quite resolutely:

‘The final result of the enquiries undertaken about the question of the consequences of the free divisibility of real property ... obviously yield the proof that the current laws did not lead to a severe fragmentation of real property and that in the course of more than forty years smallholdings in general did not at all got out of control.’ (Meitzen, 1868: 509).
III. The land market for peasant holdings

The state of research concerning the land market for peasant holdings in Germany during the eighteenth and nineteenth centuries can only be called unsatisfactory. It means that my comments have a preliminary character. Distinctions concerning timing, social groups and regions present themselves as possible starting points. As long as the land cultivated by peasants was subject to manorial control in many parts of Germany, such limitations gave the markets in real property a strong regional diversity. The village land market in many south-western parts of Germany was hardly under seigneurial restrictions anymore (Hippel, 1977: esp. 277–278). In the centre of Germany the difference between lands subject to feudal law and private property, which coexisted in each of the villages in very different mixtures, seems to have been decisive. Here, village boundaries encompassed two distinct land markets. In the principality of Hohenlohe, for instance, a lively land market existed for so-called ‘rolling plots’ (walzende Stücke), whereas land subject to feudal law, under landlord supervision and with customary impartible inheritance (Anerbensitte) was sold considerably less often (Schremmer, 1963: 14–25; Steinle, 1971: 65–120; Robisheaux, 1989: 79–83). A similar difference between an unrestricted sale of partible freehold property and feudal tenure, which could only be passed on undivided and sold with the assent of the landlord, is to be found in Hessen-Kassel (Sakai, 1967: 11; Lütge, 1967: 198–199; Fox, 1993: 100–114). In the north-west of Germany there legally was almost no land market that was not under the tight control of landlords or princes. It still remains to be demonstrated whether in fact there were markets developing secretly that were structured in a peculiar way and insufficiently formalized. The East-Elbian area of strict estate management and landlordism (Gutswirtschaft) would have had no land market at all, but it is safe to assume that in the background transfers by enserfed peasants took place nonetheless (For the land market in East-Elbian Prussia during the early nineteenth century see Harnisch, 1984: 277–302).

With respect to the eighteenth century one must therefore take for granted a considerable regional and even local variation in markets. The manorial control of most lands was indeed an obstacle to an adaptation of land use to the changing needs of peasant households, but the rigid legal system seems to have been made more flexible by individual agreements amongst neighbours and by existing hereditary practices within families. Because of the differences between legal proprietary rights and current customs this situation really implied some risks for individual peasants. Only the liberal agrarian reforms, which were carried out from the end of the eighteenth century to 1848, provided a legal framework for a developing land market which was undivided and not fragmented along social or corporate lines. To what extent the intentions of the liberal proponents of reform were really put into practice was again subject to regional differences which continued to be of great importance throughout the entire nineteenth century.

A suitable starting point is provided by the pioneering study of David Sabean on the village of Neckarhausen in the period between 1700 and 1870. Formal market transactions already were a widespread phenomenon in that village in the early eighteenth century and they evolved into the main pattern of land circulation until 1800. The formerly quite common exchange of plots was replaced by public sales, predominantly in the form of auctions. Most transactions took place exclusively between village inhabitants. If outsiders participated, it usually happened to be sales of single plots by heirs who did not live in Neckarhausen and therefore could practically make no use of the land. The apex of changes in the ownership of land was reached in the 1820’s. According to Sabean this was a consequence of economic crisis. In 1700 women had been virtually excluded from the land market, in the course of the eighteenth century they occasionally became buyers and in the early nineteenth century ten per cent of all purchases were done by widows and unmarried women, whereas married women remained being rare as buyers (Sabean, 1990: 359–360).

Not only did the number of transactions increase but also the quantity of land that was transferred. In the decade after 1700 just one fifth of the village lands became an object of barter or sale. This share rose to one quarter in the decade after 1780 and even to almost one third in the years from 1820 to 1829. However, in the further course of the nineteenth century the quantity of land channelled through the land market decreased again to the percentage that had been reached 150 years earlier. Correspondently, a growing number of the inhabitants of Neckarhausen was active on the land market. At the height of its development, during the decade of the 1820’s, almost one third of the population acted at least once as a buyer of plots of land of houses. This development, however, was counteracted by massive population growth. It is true that village people met each other more often as buyers and sellers of land but the plots that were traded got smaller and smaller. In the course of this development land prices rose steeply, and moved from 31 gulden per morgen (approximately 0.25 hectare) in the early eighteenth century to roughly 110 gulden at the end of the century. During the crisis of the first half of the 19th century they did not go down. Finally prices reached a ceiling at 564 gulden for one morgen in the 1860ies. Accordingly, the highest prices were fetched in the face of a declining frequency of transactions.

The Neckarhausen study is particularly interesting because it analyses the land market not only on the basis of aggregate data but also of the individual identification of sellers and buyers and of their internal relationships. To give just one example: the analysis of age structure shows that on average sellers were about ten years older than buyers. Here, the land market reveals itself as an integral part of a local system of transfers, regulating the passage of land from one generation to the next. The formal market transfer was often used to secure the informal handing down of farms between successive generations in a flexible way. However, the precondition for that was a far-reaching autonomy of the villagers to dispose of their lands and farm buildings. This freedom of action was a peculiarity that could only be found in the west and south-west of Germany. There, the noble landlords had to abandon the local arena of economic and political action to the peasants since the constitution of local communes during the late Middle
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Ages. But this was in no way what happened in the large remaining parts of the Empire, particularly in the north and east of Germany. These areas were characterized by circumstances in which the presence of the landlord could not be ignored. It will have to be shown that this had serious consequences for the shaping of the rural, and particularly the peasant land market.

III.2. Bretzwil in north Switzerland

Another micro-historical study which presents important insights into the land market is available for the village of Bretzwil near Basel. The peasants in the northern parts of Switzerland equally enjoyed almost complete freedom in disposing of their lands. Albert Schnyder ascertained the interesting fact that there was an excess supply of money in the canton of Basel which as it were was looking for secure investment in mortgage loans. But the urban creditors were rather a check than a motor of land market expansion because their objective was a secure and long-term interest payment against the best possible conditions (Schnyder-Burghartz, 1992: 203–206). These findings are similar to what has been found for many parts of Germany. Urban creditors, among them many widows of businessmen, looked for secure and long-term profit on their capital. In addition, there were the institutional investors of pious foundations pursuing the same logic. This investment behaviour corresponded to a conduct of the villagers which Albert Schnyder called Giralisierung of the village economy: Until the middle of the eighteenth century the cash flow into villages mainly went via urban loans, and to a lesser extent resulted from profits made with sales of agricultural produce or manufactured goods. Consequently, the village economy was characterized by a shortage of money, which forced the villagers to organize their economic transactions on the basis of cash-less borrowing. The debt economy was stabilized by a well-contrived system of guarantees. Risks were minimized by a fine dispersion of mortgage debts over numerous plots owned by different persons. In that way, even when an individual went bankrupt, a cascade of bankruptcies with their concomitant mobilizing effects on the land market was avoided (Schnyder-Burghartz, 1992: 206–209).

The land market of Bretzwil in about 1700 appeared to be socially segregated. It was the domain of the grain-growing peasant upper class and, to a lesser extent, the village craftsmen. The poor and the meagre landowners virtually did not show up. But in Bretzwil the land market was not dominated by local families like in Giovanni Levi’s Santena (Piemont) case, where the price fixing depended on the social distance between the parties (Levi, 1986: 91–106). Instead, Schnyder perceived ambivalent factors behind the fixing of prices. Tensions within the family, for instance, could bring about land being sold or auctioned and, because of this, land being included in a system of price fixing outside the family. It still does not yet follow from this that an anonymous and objectified market, only recognising supply and demand as price fixing elements, prevailed in Bretzwil. Rather, one has to assume a socially embedded market process in which the solidarity amongst villagers, and especially amongst male peasant farmers, could exert an important influence (Schnyder-Burghartz 1992, 193–199, 202, 227–230, 380–385).
IV. Land market and inheritance practices

On the basis of the evidence collected by David Sabeau and Albert Schnyder there are grounds to assume that in an area where the buying and selling of land was little affected by manorial control, the land market served as a means of allocating resources among the well-to-do peasants. The attempt to optimize resources was often frustrated by demographic vicissitudes and the occurrence of inheritance. The land market provided one possibility how to deal flexibly with resources. A second possibility was short-term leasehold, a third was provided by inheritance practices themselves, which did not always adhere blindly to written norms. In the case of Bretzwil they were, with the approval of the magistrate of Basel, rather handled according to circumstances. Inheritance practice and the land market thus appear to have been flexible and interrelated systems (Schnyder-Burghartz, 1992: 167-169).

Vice versa, one has to suppose that in areas with strong restrictions imposed by the lords on the land market and on mortgage credit, the requirements concerning a flexible handling of the resource ‘land’ fell entirely on the inheritance practices. It would be worthwhile to make a comparative investigation in order to see whether the persons affected were not forced in many cases to choose a transfer arrangement between generations which diverted from the norm. In Westphalia and Lower Saxony such constraints could be the reason for a special remedy. On the level of legal provisions there already existed very sophisticated arrangements for interim farmer-managers (Mahljahre, Zwischenwirte) who were married in second or third marriage to the widow of an owner and who directed the farm as long as the heir still was under-age. The study of Belm by Schlumbohm underlines how extremely diverse family strategies could be, in order to cope with the consequences of demographic vicissitudes (Schlumbohm, 1994: 152–190 and 379–480). In the district of Blumenau in Hanover plots of real property were never used to pay off second-born sons and daughters. Flexibility in these cases always meant a flexible handling of inheritance rules so that, if need be, a daughter was appointed to be heiress of the farmstead (Begemann, 1990: 114–218).

The question of how the difference between partible inheritance and entailed property in the case of peasant farms could arise in the western parts of Germany, and what processes were responsible for the customary rights of succession to undivided farm estates, are treated in an important and stimulating way in the study by Robisheaux on Hohenlohe (Robisheaux, 1989). An idea suggested in this study is that the co-operation between well-to-do peasants and political authorities was responsible for this development. The widening of the socio-economic distance between the grain-growing peasants and the village poor of Hohenlohe during the sixteenth century had drastic consequences for the inner stability of the village community. Increasing competition for resources and a quite different density of market relations outside the village threatened to undermine the impressive strength which these communes had developed in their dissociation from lordly power during the late Middle Ages. It was mainly population growth and the rise in the number of the village poor connected with it resulting in a social and economic polarization that destroyed the inner cohesion of the village.
Thomas Robisheaux detected an interesting regional inner differentiation in the wake of this process. The increase of households seemed to be concentrated in villages in the vicinity of towns and places located near trading routes, whereas remote and isolated hamlets remained almost unchanged demographically. Lands well suited for agriculture or viniculture were firmly in control of the peasant farmers so that the aspiring petty smallholders had to contend themselves with the clearing of marginal lands. The availability of uncultivated soil and a demand for labourers on the part of larger farms exerted a magnetic attraction on the poor, which drove them to the villages. If, however, all arable land was in the hands of a few families, as was the case in some hamlets, then the poor hardly had any chance to settle down there. These hamlets could preserve their demographic stability and economic prosperity while taking advantage of the poverty and instability of other places. At the peak of the rural season they made use of the labour surplus in the crowded villages and small towns without having to take on the social costs. This socio-geographical pattern can be found in various regions, and as well in the eighteenth and early nineteenth century (Friedeburg, 1997: 38–55).

The divergent development of adjoining settlements was going back to differences in late medieval inheritance practices and usages concerning the land market that were only feeble in the beginning, but later hardened into fixed customs. In Hohenlohe the dissemination of the custom of impartible inheritance (Anerbensitte) and the inalienability of real property in the case of peasant farms was first developed autonomously amongst the peasantry and without pressure from the landlords in the fifteenth and early sixteenth centuries. However, that the territory of Hohenlohe finally became one of the islands of impartible property in an ocean of partible inheritance in the south-west of Germany in the eighteenth century – the other islands being the Black Forest, the Klettgau, and upper Swabia – was due to the fact that the Earls of Hohenlohe since the 1560s took over this custom from the peasants and enforced it generally.

Within the framework of this system of impartible property the land market served just as an additional, flexible, and therefore stabilizing factor for the whole system. In the years between 1552 and 1600 three quarters of a total of 332 sales of land consisted of transfers of complete farms simply within the confined circle of close relatives (viz. from parents to children, to sons-in-law and daughters-in-law, or to grandchildren) (Robisheaux, 1989: 82). These preferential buyers then paid a lower, so-called ‘child’s price’ (Kinderpreis), that was tied to the acknowledgement of reciprocal obligations, such as provisions for old age, compensation to siblings excluded from inheritance, previous inheritance portions and dowries, or debts. If a farm slipped out of the hands of a family, this only happened because there was no heir available or because of an insolvency. The sale of small plots obviously did play hardly any part in hamlets with compact farms. In densely populated villages, on the other hand, a market for small plots existed that was not entirely family-controlled (Robisheaux, 1989: 83). This indicates that amongst smallholders family ties were less marked than among substantial farmers. Plots not subjected to impartible inheritance were called ‘rolling plots’ (walzende Stücke). Farms proper were kept outside of the circulation of goods and were only passed on within the tightly knit network of families of substantial farmers. In the village of Unterfinning in upper Bavaria in the seventeenth and early eighteenth century it was also observed that landlords were very interested that estates were passed on in their
entirety, but that peasants tenaciously and successfully stuck to the habit that they were able to transfer certain plots unhindered (Beck, 1993: 397–400. Schlögl, 1992, gives hints that in the districts of the Landgerichte Schrobenhausen, Vohburg, Kelheim and Kirchberg located further north in Bavaria, the number of ‘rolling plots’ increased in the course of the Thirty Years War.)

The case of Hohenlohe as reconstructed by Robisheaux is also remarkable because two different systems of inheritance and two land markets existed side by side within a quite limited space. In that way they formed complementary structures. Moreover, it is worth mentioning that the custom of impartible inheritance (Anerbensitte) has obviously been developed at the beginning of the early modern era out of a desire of the families of substantial farmers to back up their social standing in rural society. But its practice only became more common at the turn of the sixteenth century thanks to pressure from the authorities. The Earls of Hohenlohe favoured peasant farms that were large, compact and stable for longer periods because, given the low standard of administrative instruments in most early modern principalities, large farms could be controlled considerably more effective than the fluid farming of small plots which often changed hands. Therefore, the custom of impartible inheritance and the norm of the integrity of estates (Geschlossenheit der Höfe) constituted a strategy to keep up the status of the upper stratum of the peasantry as well as a common model of extraction on the part of lordships in order to have a secure collection of taxes, imposts, and services.

IV.1. Evidence from north-west Germany

Another local case study gives rise to the assumption that the integrity of estates in areas of prevailing impartible inheritance in north west Germany was only of early modern date as well and not, as scholars had believed hitherto, an institution which existed continually from the Middle Ages on. The importance of Lienen’s work on Tudorf in the bishopric of Paderborn has not yet been sufficiently appreciated by rural historians, although it questions our picture of social conditions in Westphalia at the start of the early modern era (Lienen, 1991). His evidence for a period of time running from the fourteenth to the end of the sixteenth century shows great similarities to the familiar development in the west and south west of Germany. The predominance of landlords had also been questioned in Westphalia by a strong co-operative cohesion of the village community. The restrictions by personal bondage (Leibherrschaft) had been replaced by objectified means of economic dependence. This was paralleled towards the end of the Middle Ages by certain habits of the land market which appear to be highly modern. As a result of population decline and the rise of money economy landlords in the 14th century had to stop their attempts to uphold serfdom. The predominant form of land lease became the short-term leasehold because of the demographic and economic situation and because of a tendency towards lower prices. Peasants leased plots and farm buildings for a short term to be able to adapt their household economy to the changes in the markets for agricultural commodities and to make optimal use of the potential of their family workforce. In this way, in the late Middle Ages the outline of a highly mobile rural society becomes visible where any emotional commitment of peasants to ‘their’ farmsteads was out of question. With a growing population in the sixteenth century circumstances became fixed once more, as the tenurial status was transformed.
by customary right from leasehold to hereditary right with hereditary tenants (Meierrecht). In exchange for the right to hand their leases on to from generation to generation, and to safeguard them against unilateral termination, the peasants accepted higher rents. But only in the seventeenth century, when a renewed want for people occurred in the wake of the Thirty Years War, landlords, with the help of the territorial state, pushed through the integrity of estates and the custom of impartible inheritance.

What consequences did this ‘seigneurial reaction’ have for the land market? Achilles’ study of the financial circumstances of the peasants in the territory of Brunswick in the seventeenth and eighteenth centuries gives us some hints. On the basis of the officially registered sales of plots of land and farmsteads in the district of Schöningen between 1661 and 1808 he traced just a small number of estate sales in which moreover only relative low prices were obtained. Single plots were primarily sold to pay off debts; arable land that had been mortgaged only passed to a new owner if the debtor had lost all hope of repaying his debt. On the buyers’ side of the market there were relatively large numbers of non-peasants, often rural craftsmen, eager to safely invest their surplus money in land. If one compares the transactions of the land market in Schöningen with the corresponding findings of Bretzwil and Neckarhausen, then it becomes obvious how marginal commercial land transfers have been in this north-western region. Even during the last decade of the eighteenth century, when the local land market was at its height, there was a turn-over of less than 0.1 per cent of the total acreage per year (Achilles, 1965: 11).

IV.2. Schildesche and Löhne in eastern Westphalia

My own findings which are derived from the parish of Schildesche in the Prussian county of Ravensberg over the period from 1686 to 1830 fit very well into the picture outlined so far. The parish is situated near the town of Bielefeld and consisted, besides the densely populated village of Schildesche, of five additional hamlets (Bauerschaften) with scattered settlements (Brakensiek, 1991: 158–165). The investigation was aimed at the consequences of the partition of common lands which was carried out between 1771 and 1800 and the effects of the commutation of obligations which started in the year 1808 during the reign of Napoleon. In Ravensberg, peasant landholding was subject likewise to quite strict seigneurial restrictions in the eighteenth century. For every sale of either a single plot of land or a whole farm the consent of the respective landlords had to be obtained. In many cases this meant the King of Prussia. Most of the largest enterprises of substantial farmers, however, were leased out by noble landlords to substantial farmers (Mooser, 1984: 95–104; Brakensiek, 1991: 25–34).

At the end of the seventeenth century, the enterprises of substantial farmers dominated the scene in the Bauerschaften of the parish of Schildesche. Backed by a strictly enforced system of impartible inheritance, their number and the acreage they cultivated, remained nearly stable for almost one hundred years. The sons and daughters who did not inherit the farm or were unsuccessful in marrying a heir of another farm were forced to descend into the unpropertied class of cottagers (Heuerlinge) who became the majority of the population towards the end of the eighteenth century. The families of cottagers lived as lodgers in the numerous outbuildings of peasant farms. They earned their living by
agricultural side-occupations, as well as by spinning flax and weaving fine linens. The population dynamics of this proto-industrial linen region resulted not only in a rapid growth of the households of landless cottagers but also led to an increase in the number of small part-time holdings. This development was anything but detrimental to the landed property of the old-established substantial farmers. Instead, one has to notice that until 1830 a rather dramatic expansion of the peasants’ acreage occurred and that at the same time a group of smallholders emerged that until then was unknown in this region (Brakensiek, 1991: 165, table 21).

What events had been responsible for this development? An examination of the mobility of land in the Bauerschaften of the parish of Schildesche between 1686 and 1830 gives a hint. Until the last third of the eighteenth century the sale or auction of plots or of whole estates took place rather seldom. The land market was effectively controlled by the landlords and blocked in the interest of secure rent collecting. Change came only from new settlers who had got so-called allotments (Zuschläge). These extra lands were plots which had been part of the village commons and had now been rented out by the administrators of state demesnes, because the Prussian state pursued a policy of population increase (Peuplierungspolitik), and strove to reward war veterans (Brakensiek, 1991: 159, table 17). The assignment of holdings to veterans was a policy not only used by the Prussian Crown, but also by the Hanoverian Crown.

This development ceased with the privatization of the commons between 1771 and 1786. The partition of common lands caused a short and violent shift in the rural property distribution. The old-established substantial farmers profited most, more than the early modern new settlers, whereas the cottagers remained empty-handed. The modest turnover of land during the last decade of the eighteenth century and during the first decade of the nineteenth century clearly shows that the partition of the common lands by itself could not accelerate the land market. However, substantial farmers got the chance to find themselves a new source of money income by establishing tenant holdings (Erbpachten). Interestingly, the peasants adopted a pattern of behaviour of the nobility who in this region for the most part did not manage their estates themselves and neither did rent them out as a whole. Noble estate owners usually rented out their landed possessions in small plots to smallholders (Erbpächter) who acted as a kind of ‘miniature farmers’, but who must primarily be considered as linen weavers. Those tenant holdings newly erected on former commonland were leased out in almost half of all cases to the siblings of substantial farmers. Seen from that perspective, these holdings thus formed an innovative strategy of transmission.

The market for plots of land in the parish of Schildesche only very gradually gained volume after the liberation of the rural population (Bauernbefreiung) in the year 1808, as the personal and material restrictions were abolished following the French example. Women were virtually absent on the land market as buyers, and only marginally present as sellers. When whole farms were sold, these exclusively consisted of middle or small farms, and particularly of the newly erected tenant holdings (Erbpächtereien). Such transactions were mainly an expression of the economic crisis of the textile industry and not of the state of peasant agriculture. This can also be seen by looking at the rising number of compulsory auctions, which predominantly involved the smallest farms. The
evolution of transfers of whole farms in the Bauerschaften of the parish of Schildesche developed as follows: there was no sale between 1686 and 1755, two sales and one compulsory auction between 1756 and 1770, just one sale between 1771 and 1785, five sales between 1786 and 1800, six sales and four compulsory auctions between 1801 and 1815, and finally six sales and nine compulsory auctions between 1816 and 1830 (Brakensiek, 1991: 161, table 18). Among the buyers of plots some craftsmen and some weavers who took an active part in the linen trade were successful all the time. In addition, four millers who little by little attained possession of a peasant farm by purchasing strips of land were exceptionally successful.

During the first three decades of the 19th century, the trade in immovable property in the parish of Schildesche only in exceptional cases reflected signs of prosperity. More often the sale of a building or of plots of land had its cause in the fading solvency of the owner, without the buyer being really better off economically. In the face of declining possibilities to rent lands or living space there was no viable alternative to the purchase of a plot of land, in spite of the indebtedness linked to it and the sacrifices which ensued. A small number of weaver-traders who had sufficient funds at their disposal to bid at compulsory auctions, and to sell their acquisitions afterwards with a profit gained by the increasing mobility of land. But a class of rentiers did not come into being on the basis of these deals which rather served as a means to strengthen the social position of local brokers who were also politically influential.

When the findings on the land market of the parish of Schildesche in the eighteenth century are compared to those of Sabean on Neckarhausen, and of Schnyder on Bretzwil, then the insignificance of the transactions that were officially registered stands out. But occasional evidence from the source material suggests that the firm control landlords exercised over the credit behaviour of the peasantry and of the mobility of land, aimed one-sidedly at the interest of taxes, rents and other payments, promoted the adoption of illegal forms of arrangements among neighbours with respect to land use as well as unsecured and usurious methods of borrowing. Unfortunately, this observation could not be verified systematically but only made plausible by looking at individual cases. Source material of this kind was generated when in case of a conflict suchlike illegal arrangements came into the focus of the political authorities or of lords of serfs or landlords (Leib- und Grundherren). Plots of land sold had already been partly used by the buyer for some years without the consent of the landlord, and the actual change of possession had caused no entry into the register. That in the end there was an entry at all can therefore be interpreted as a form of legalization of an illegal market transaction after the event (Cf. the marginal notes relating to the years from 1702 to 1743 in the register of the land survey and evaluation of 1693: Staatsarchiv Münster, Kriegs- und Domänenkammer Minden, no 990). The tables about the rents and the conditions of the pasture of cottagers in the district of Amt Sparenberg, Vogtei Schildesche, around 1805 are also illuminating. Contrary to their headline, they also show the actual usage of the former common lands by the peasants. This case equally confirms that such lands were not always used by the holders of the title of property but by a third party (Cf. Staatsarchiv Münster, Kriegs- und Domänenkammer Minden, no 3310).
But how was the land market developing after seigneurial restrictions ceased? The analysis of the parish of Schildesche terminates in the year 1830. Fortunately, there are preliminary outcomes available of a study of the village of Löhne in the nineteenth century (Fertig, 2001). Löhne is situated only twenty kilometres north of Schildesche and was also subjected to Prussian rule. The two villages show similarities in many ways. Until the middle of the nineteenth century Löhne’s market for real property gradually grew. It received an additional boost by the fact that Löhne got a railway junction. The traffic in real property among the villagers was not predominantly family-controlled. The formal land market in Löhne did also work as a functional equivalent to the inheritance system because numerous sales were the consequence of inheritance or marriage. But the findings suggest that in in a European perspective wider kinship relations only played a minor role in the land markets here.

In Neckarhausen, the formalization of purchase acts was compatible with the reciprocity and social proximity of the actors on the land market. Sabean reached the conclusion that the descendants of the same ancestors tried to counterbalance the effects of free partibility by endogamous marriages. In such a system the land market provided a specific flexible response and the formalization made it easier for other heirs to regard the proceeds as appropriate sales prices, and to be satisfied with their respective portion of inheritance as a ‘fair compensation’. In the case of Santena, Piedmont, in the seventeenth century Levi could establish that the prices of land in transactions among relatives clearly varied more widely than in sales to strangers. His conclusion was that price fixing was a variable of social distance. In contrast to this, Fertig found out for Löhne that social distance – be it kinship or neighbourhood – had hardly any influence on prices. In Löhne the usual purchase price of immoveables turned out to be the thirty-fold of the tax assessment of a plot. This is remarkable because it suggests that even in the middle of the nineteenth century a market sale still aligned to public prescriptions.

This evidence implies in general, and underlines, that unlike in Neckarhausen in Württemberg the rural class society of Ravensberg did not emerge only around 1800 and aided by the land market, but that class divisions already existed at that time. The question arises anyhow whether not everywhere where the holders of substantial farms dominated the villages the rights to succession of undivided farms reflected a convergence between the interests of authorities and those of the large farmers. This would also mean that the blockade of the land market did not serve one-sidedly the interests of landlords but also continued to promote the economically based and politically cemented priority position of the substantial farmer.

V. Conclusion and further outlook

What can be said in summary about the land market in eighteenth and nineteenth century Germany? The findings of local studies have demonstrated how fruitful a micro-historical approach can be, if one wants to know how the behaviour of the actors was motivated, and what strategies they pursued. For that reason alone it would be desirable that henceforth sales and purchases of land will be further researched within a framework of actor-orientated studies. Yet, the starting point should not be written norms,
as in the traditional historiography on rural society, but local practices as they can be
discerned in the records. On such a basis an attempt could be made to reconstruct the
playground of forces in which territorial laws and unwritten peasant customs constituted
important points of reference. Normative preconditions like the habits of the peasantry,
the law of inheritance sanctioned by political authorities, as well as the growing pressure
in favour of written deeds in cases of property transfers were certainly of prime impor-
tance in influencing the actions of contemporaries. They equipped the participants on
the land market with arguments and, aided by these arguments, these participants could
legitimise their actions. However, empirical studies suggest that there were always several
options at the same time available. Buyers and sellers in the land market acted within
social, legal and political fields of action, their actual strategies were situated in them
but these strategies were simply not determined by factors which could be moulded into
a typology.

The question arises what additional general statements the findings from micro-stu-
dies presented in this article allow. It is evident that the various land markets we
distinguished were very differently organized. They obeyed such different rules that the
manner of price fixing could not be summarized easily. However, we may presume that
locally and socially segregated land markets were loosely connected with each other in
the sense that massive price movements in one market had an effect on other markets in
the same region. These considerations have consequences for the analysis of economic
fluctuations. It is a must to try to reconstruct long price series of various partial markets
that subsequently could be compared systematically with respect to those factors that
were conducive to co-determining the prices. In this way the micro-historical approach
also opens up possibilities for reaching macro-historical conclusions.

Small as their number may be, the micro-studies available already suggest quite similar
patterns of long-term price development on land markets, although there are important
restrictions. A secular increase in land prices can be seen everywhere in the eighteenth
century. Its peak was accentuated especially in those regions where – over and above
the usual participation of estate owners, tenants and substantial farmers in rising grain
prices – exceptional profit expectations prevailed, like for instance in eastern Prussia
(because of the speculation in estates) or in north Switzerland (because of the very
profitable transition to dairy farming and pasture), or in the north-west linen region of
Germany (because of the economic and demographic intensification). All these diffe-
rent developments resulted in a remarkable boom towards the end of the eighteenth
century which stopped around 1800 mainly for political reasons. From that point on,
der under the conditions of the socio-economic crisis of the early nineteenth century, land
prices took an extremely whimsical course. The speculation in estates in Prussia collapsed
in the year 1806 leading to insolvencies on a huge scale (Ristau, 1992: 215–221). Added
to this was the expanded supply of loose plots, farmsteads, and complete estates as a
consequence of the mobilization of land in the course of peasant liberation movement
(Bauernbefreiung) and of the separation of the lands of tenants and landlords which
kept land prices at a low level until the 1830s. The densely populated regions in west
Germany followed a sharply differing path. Here, the high demand for land on the part
of the class of smallholders and landless forever prevented a fall in land prices, although
this part of Germany as well was hit very hard by the economic crises (cf. Abel, 1978:
In Neckarhausen, Bretzwil and Schildesche in the eighteenth and early nineteenth centuries the land market was essentially a local market. This observation has to be further explained. Why did sales and auctions of peasant farms and separate plots of land scarcely attract prospective buyers from outside? Obviously, personal management was no option for non-residents, and even opportunities to lease out immovable that had been bought with a profit at an auction were relatively sparse. Otherwise more surplus money of non-peasant investors would have flown into the land market, as it did in France, in the Mediterranean and particularly in the Low Countries. But as long as the manorial control of peasant lands in large parts of middle, north and east Germany remained in place, a widespread lack of free leasehold contracts almost followed automatically. However, the same restrictions caused by lordship rights still seem to have lingered on even after the latter had been legally abolished. In Ravensberg after 1808, for instance, urban merchants were certainly legally entitled to purchase, and then lease out, single plots or whole farmsteads in the villages and Bauerschaften we surveyed. In the face of a dense population and the ‘land hunger’ of the lower classes, leasing out land in separate plots was a very profitable trade which the large peasants eagerly pursued (Mooser, 1984). Nonetheless, one seeks in vain for signs of money investments from the urban sector. In case of a compulsory auction it could happen that lots or whole farms were acquired by main creditors who often were urban merchants but these found nothing better to do than to sell again such an immovable acquisition to a peasant (Brakensiek, 1997, for evidence from Bardüttingdorf, in Ravensberg). Until now the reasons for this kind of behaviour are not sufficiently clear. They could have been purely economical in character, for instance because the need for circulating capital on the side of merchants who had provided credit was far too urgent. But it may also have been a question of a tradition deeply embedded within social practice. It is possible that in many parts of Germany the permanent leasing out of land by outsiders at market prices that were regulated only by supply and demand, was still regarded as offensive as late as the nineteenth century.

To answer the question that we posed at the start: Land had been a commodity in Germany in the period from 1700 to 1900, with plots or whole farms and estates becoming more and more marketable after 1800. But real property remained a very special commodity because any sale of land endangered the heart of the social order in the countryside and could change this order at the local level with just one blow. Accordingly, any historical survey of the land market that looks at the actions and motives of those who took part in it, as well as at the reactions of their environment can say something about the nature and the transformation of social order itself and about the picture contemporaries made themselves of it.
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Farms and land – a commodity?


Landholding and land transfer in the North Sea area (late Middle Ages–19th century)


