

Movable Goods and Immovable Property. Gender, Law and Material Culture in Early Modern Europe (1450–1850)

9th Conference of the European network “Gender Differences in the History of European Legal Cultures”

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Conveners: Annette Cremer (Gießen), Hannes Ziegler (London)

The history of material cultures offers important new ways of studying the significance of gender differences in the history of legal cultures by exploring new relationships between gender, law and material culture. Material and immaterial possession informs the self-image of individuals and societies, dynasties and families. A threefold scheme of legal distinction differentiates between usufruct (1), possession (2), and property (3). Yet these relationships between individuals and objects are not only relevant to civil law, but correspond to political regimes. While usufruct, possession and property thus correspond to different forms of authority and society, they also have a bearing on gender relations on different levels of society. Usually, these gendered aspects of material culture are the products of traditional proximities between certain areas of activity and related groups of objects. Communities in early modern Europe can thus be said to have a gendered and often legally sanctioned relationship to the material world and the world of objects.

Our assumption is that this situation led to social rivalries and gender-informed conflicts between individual members of societies regarding usufruct, possession, and property. The action of taking possession of something is thus more than just a way of achieving material security, but a form of social practice and a way of self-assertion: in order to gain social status, as a way of accumulating social capital or broadening one’s personal or dynastic room for manoeuvre. In this respect, the single most important event is the distribution of goods in generational succession. Despite their chronologically wide applicability, we would like to explore these questions with respect to early modern history.

The starting point for our conference is objects and groups of objects, that is to say, mobile and immobile resources, and their relationships with gender, structures of power, estate orders, customs and legal norms. Perspectives from social and legal sciences will thus be combined with approaches from material culture studies. Our basic assumption is that ways and forms of usufruct, possession and property regarding certain objects inform the self-image and the prospects of individuals and families. What changes and dynamics can be observed in relation to the correlations between gender and objects? What differences occur between different forms of societies?

The network „Gender Differences in the History of European Legal Cultures“ operates in a diachronic and comparative way. We are therefore looking for papers engaging with the relationships between objects, gendered self-images and rights of ownership on the basis of textual, pictorial and material sources in Europe between 1450 and 1850. Despite this emphasis on early modern history, we also encourage proposals that highlight transitions from the Middle Ages. Papers should engage with one or more of the following themes and questions:

1. How can the distinction between movables and immovables be explained? On what experiences and everyday considerations is it based?
2. When does the category of movables become relevant? Is the understanding of the house as immovable based on its material aspects, e.g. fabrics?

3. Does the gendered coding of movables and immovables exist in different legal areas? How is the attribution of gendered codes argued for?
4. What are the consequences of gendered attributions of objects and resources? Does the distribution of resources lead to specific hazards or profits?
5. What objects are especially disputed? We are looking for examples of individuals trying to take possession of mobile and immobile, material and immaterial resources.
6. Can tensions be discerned between the aims and interests of households and family units and the superior interests of the manorial system, the economies of cities and states, or the public weal?
7. Does the distinction between mobiles and immobiles extend beyond legal norms? How is it handled in Common or Roman Law?
8. What are the strategies of testators for distributing their property? How binding were marriage contracts and last wills in the case of succession?
9. What institutions are resorted to in case of conflicts?
10. How is the value of mobiles and immobiles assessed? How relevant are market values, auctions and valuers?
11. What is the role of gender, marital status, age, social standing, and religious confession for pursuing one's interest and the chances of success in the case of judicial conflicts?
12. What is the influence of the distribution of wealth on power relations within the family?
13. And finally: what is the shape of households that have been reorganised by gavelkind, single heir rule and other mechanisms of distribution? In other words: how is the redistribution of goods handled within households?

Keynotes will be presented by:

Amy Erickson (Cambridge) and Margareth Lanzinger (Wien)

Please send your proposals for papers (appr. 1 page/300 words) together with a short academic CV by 15 October 2017 to:

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