

Property and Civil Society in South-Western Germany, 1820–1914. By *Jonathan Sperber*. Oxford: Oxford University Press, 2005. viii + 287 pp. Maps, appendix, bibliography, notes, index. Cloth, \$ 99.00. ISBN: 0-199-28475-X.

Reviewed by Mark Spoerer

The subject of civil society, commonly defined as the realm of human interaction between the family and the state, is much in vogue among historians. Following a concept of the German philosopher Jürgen Habermas, many historians view civil society as the equivalent of the public sphere, a place where arguments are exchanged publicly in voluntary associations, public meetings, and the media Jonathan Sperber argues that this concept is too narrow, as it “omits the whole world of informal but no less real social relations that [make] up so much of civil society” (p. 3), in particular property and its disposition within the family or in the marketplace.

How does Sperber address this informal world? He confines his study to the Palatinate, a region in southwest Germany. Conflicts produce paper, and so the sources he relies on are court cases kept in the Landesarchiv Speyer from which he collected 1,646 (most are fragments) spanning the period from c.1820 to 1914. Sperber assumes that this sample is probably not representative of that civil society, and—surprisingly, after all his efforts—decides to use only a few dozen case fragments. These appear in the four main chapters, entitled “Acquisitions and Transmissions,” “Transactions,” “Boundaries,” and “Changes.” The cases are often fun to read—Germans are said to have an astonishing propensity to take their neighbors to court. Sperber’s observations, especially on social distinctions, are interesting, but it is not clear what general conclusions can be drawn from this material.

In an ironical twist, Sperber, who is interested more in exploring “the cultural meanings and practices of property” (p. 241) than in writing an economic or social history, concludes that “one way to sum up the material presented in this book would be to say that in the nineteenth-century Palatinate, property was in everything. . . . If property was in everything, it is also true that everything was in property” (p. 236). Would any business or economic historian dare to voice such strong views? Certainly

not in public. Sperber adds that “it might be appropriate to reconsider the whole idea of a public sphere, of an arena of debate about the common welfare, when we remember that participants in this debate had distinct ideas about the value of property ownership and property transaction, as well as experiences with them in their own lives. This is a point that does not just apply to nineteenth century history” (p. 240). Thus, Sperber comes close to concluding what economic historians are often blamed for merely assuming.

Business historians will be most interested in the last section of the conclusion, titled “Eras in the History of Property.” Sperber’s survey of central European history from the late eighteenth century until today, in which he scrutinizes the importance of property for family ties and social status, is a tour de force. According to Sperber, the nineteenth century was the heyday of property (real property, one should add). During the ancien régime of the eighteenth century, the seigneurial rule and legal limitations were what threatened property rights and hampered property transactions, whereas, in the twentieth century, inflation, taxation, war, and expulsion have been the undermining forces. Moreover, he claims, the expanding welfare state has assumed one of the main functions of property: storing and transferring family wealth through the generations (via inheritance). This has had an impact on family ties and family status, as the connection between social status and (real) property is today far weaker than was the case in the nineteenth century. Sperber’s assertion, however, that “by the early 1950s, the age of property was over” in Western Germany requires more study.

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