

Transformation of the commons in rural South-West Germany (18th-19th centuries)

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1. INTRODUCTION: RESEARCH CONTEXT AND INVESTIGATION AREA

Only in recent years have agrarian historians become aware that full-scale privatisation was by no means the uniform fate of collective resources in German rural societies in the 18th and 19th centuries (Brakensiek, 2004). Although this type of modernisation did occur to a major extent in North Germany, notably in Prussia, there were large parts in the South-West where a different pattern of transformation prevailed: the conversion of common pasture grounds into individually used arable or meadow land, which – remaining in public (communal) ownership – was held as life-long tenancies by the local citizens. It was not before the mid-20th century that this institution rapidly waned and prominent academic observers as late as around 1900 were ready to acknowledge its valuable social and economic functions (Bücher, 1902).

The following article focuses on northern South-West Germany and draws on material from the «Baden Palatinate» («Badische Pfalz»): the part of the principality Palatinate Electorate on the right bank of the Rhine that was incorporated into the Grand Duchy

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of Baden in 1802. If restricted to the two districts of Ladenburg and Schwetzingen, the investigation area comprised about 340 sq. km. and contained twenty village communities, eight of them situated north of the lower Neckar and twelve south of it (see Map). After shedding some light on basic structural features of the region, this study will deal with three dimensions, which were closely interlinked in the process of stabilising local society by changing the management of the commons. First, the quantitative scale of communal lands involved will be illuminated. Second, it will be shown how the individualisation of common plots fostered the development of an intensified commercial agriculture between 1770 and 1850, which helped to preserve the peasant character of the middle ranks of village society. Third, it will be illustrated that the agrarian reforms of the late 18th century with the conversion of commons at their heart, called forth major local disruption and ‘class struggle’, including an enhanced level of state intervention. Once established, however, the new and efficient system of parcelled common arable increasingly served to reintegrate local society in the course of the 19th century. The general line of argument will be that the modernisation (but not dissolution) of the commons regime played a crucial part in the economic and socio-political consolidation of South-West German village communities at the turn of the 19th century.

Contemporary observers, just as modern historians, have often tended to characterise Germany’s rural South-West in the 18th and 19th centuries as an increasingly crowded playground of petty peasants and smallholding day labourers (e.g. List, 1842; Nipperdey, 1987; Wehler, 1989). The alleged predominance of subsistence farming with various agrarian and industrial supplementary occupations has been considered an inherent trait of a society in which partible inheritance constantly undermined the intergenerational transfer of consolidated landed property. From this perspective, accelerated demographic growth as it occurred from about 1750 onwards, largely depended on more intensive forms of agricultural self-sufficiency, particularly by the spread of potatoes as the new staple food. Yet, since soil productivity could not be radically enhanced before the advent of artificial fertilisers and mechanisation after 1850, pauperism was bound to take its toll sooner or later. When poverty eventually turned into a mass phenomenon in the second third of the 19th century, only considerable emigration and factory industrialisation seem to have opened a permanent escape from overpopulation.

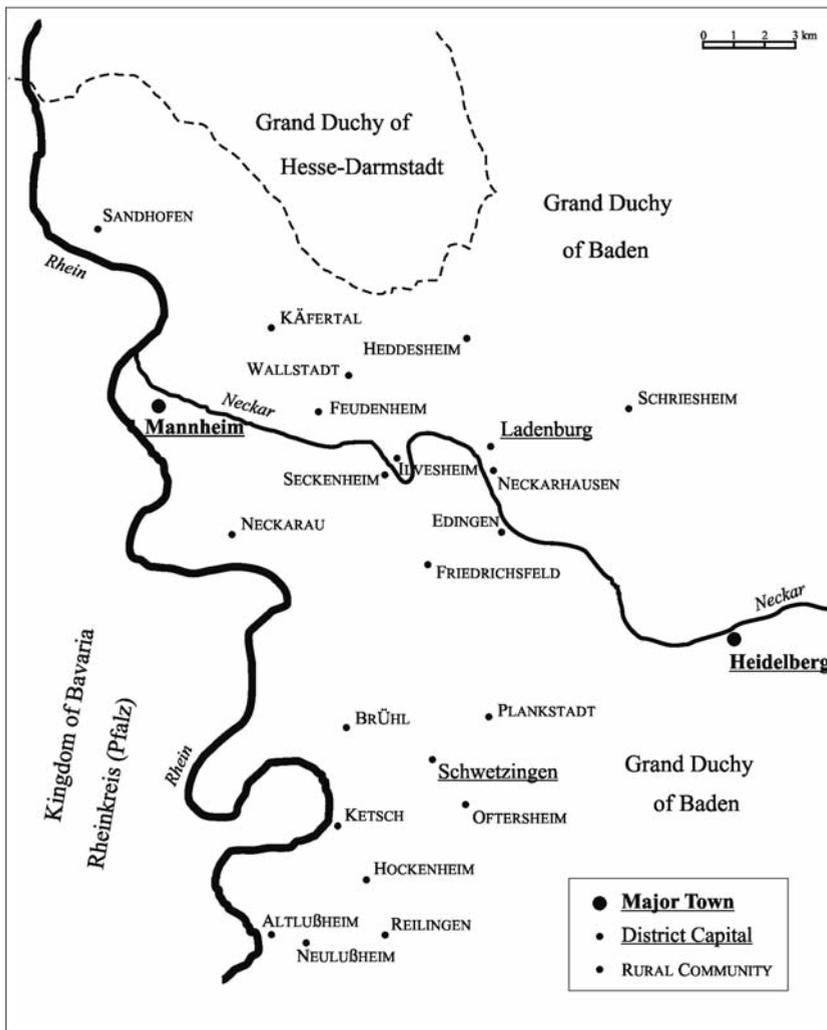
The Baden Palatinate can serve as a major counter-example to expose the lopsidedness and inadequacies of this traditional interpretation¹. The region was faced with, and sustained, a particularly strong demographic growth in the 18th and 19th centuries

1. Cf. more generally on the development of landholding structures and social relations in German regions in the 18th and 19th centuries, GRÜNE and KONERSMANN (2006: 51-57).

(Grüne, 2007: 75-76; id., 2011b: 70-86). The population of the twenty village communities doubled between 1727 and 1791 (from 6,275 to 13,210 inhabitants) and kept rising by a factor of 2.5 until 1855 (31,991 inhabitants), when population density reached a value of 120 people per sq. km. The region's annual growth rates in the countryside of 1.69 (1774-1791) and 1.84 (1830-1845) per cent were among the highest observed in Europe at that time.

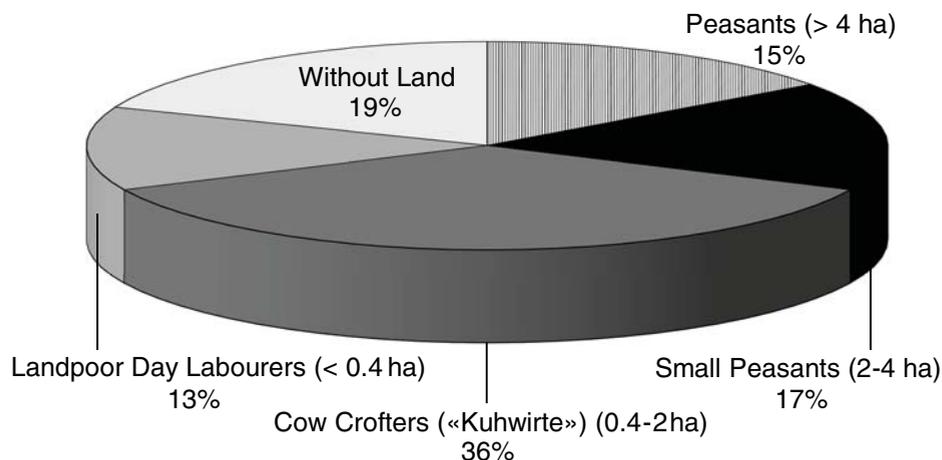
MAP

The twenty rural communities in the districts of Landenburg and Schwetzingen (Grand Duchy of Baden) in the 19th century



Source: The author.

FIGURE 1
Landholding structure in twenty villages of the Baden Palatinate, 1873²



Source: Beiträge zur Statistik 3 (1878: 126-127).

However, this did not lead to an overall levelling of farm sizes (Grüne, 2007: 76-78). To the contrary, it is obvious from the first comprehensive statistics on landholding structures in 1873 that one third of the farm owners («peasants», «small peasants») still made a living from agriculture alone or almost alone (see Figure 1). The portion of households largely cut off from agricultural means of production («without land», «landpoor day labourers») was only 32 per cent. In the middle layer the «cow crofters» («Kuhwirte») with 36 per cent, tilled a few acres on their own account often with a cow team. They deserve special attention for two reasons. In the first place, in contemplating the social effects of commercialisation one must not omit a large portion of landholders simply on the grounds of the supposed insignificance of their estates. Furthermore, by the standards of the South-West where two ha often defined the lower limit of the peasantry («Bauerntum»), such property was far from negligible. Many of them were well able to profit from agricultural modernisation based on rising labour intensity.

2. The category «cow crofters» (mostly «Kuhwirte» or «Kuhbauern» if distinguished in the sources) with 0.4 to 2 ha of arable land refers to smallholders who relied to a major extent on sources of income beyond their own agricultural activities. In contrast, «small peasants» (2-4 ha) were, under favourable conditions, able to make most of their living from an independent agricultural enterprise. This differentiation is generally corroborated by agronomic observers of the region in the first half of the 19th century, e.g. the political economist Karl Heinrich Rau from Heidelberg (RAU, 1830; id., 1851). According to him (RAU, 1860: 333), both groups were driving forces in the expansion of cash cropping as measured by the proportion of individual farmland devoted to tobacco growing (up to one half).

The development of this tripartite structure of farm sizes was well under way in the last third of the 18th century and virtually completed in the second quarter of the 19th century in the Baden Palatinate (Grüne, 2011b: 94-117). In many places the distribution of landholdings had been more polarised around 1720 when the first fairly comprehensive data are available for a couple of villages. For the sake of comparison the analytical categories may again be reduced to three, corresponding to the capacity for agricultural reproduction: peasant («peasants», «small peasants»), semi-peasant («cow crofters») and sub-peasant («landpoor day labourers», «withouth land»). In the commune of Hockenheim, for instance, there were only four local citizens (five per cent) in the semi-peasant group in 1722, while 38 households each belonged to the peasant and sub-peasant sector. By contrast, sixty years later, in 1784, the proportion of the semi-peasant layer had grown to 36 per cent – mostly at the expense of the peasants. In 1873, then, the structure in Hockenheim was largely in line with the data in Figure 1, which implies a recovery of the peasants and a reduction of the sub-peasant stratum in the previous decades. Another telling example is Plankstadt where there was only one cow crofter in 1722 (three per cent) but 42 in 1805 (35 per cent) and 71 in 1840 (29 per cent). This was mainly due to the shrinkage of the peasants' proportion from 56 to less than 30 per cent during this time. So, by and large, the existence of a substantial middle, semi-peasant class was a relatively young phenomenon in the investigation area, which emerged to an appreciable extent from the mid-18th century onwards³.

This was precisely the period when – according to David W. Sabeans influential studies about the Württemberg village of Neckarhausen – social structures in regions with partible inheritance began to develop into rural class societies, as a result of new horizontal kinship alliances and more endogamous marriage behaviour first in the upper stratum (Sabean, 1990: 61-5, 223-246; id., 1998: 449-489). Although the survival of a significant number of larger peasants in the Baden Palatinate certainly originated from strategies similar to those observed by Sabean, the middle ranks of village society were filled, not emptied, parallel to this process. Thus, if the disputes over common resources in the late 18th century treated below (section 4) seem to have the character of «class conflicts», it must be born in mind that there was less of a dualism in sociometric terms than some decades before. Rather, social change engendered group conflicts in the villages by creating a middling sort who was independent enough from peasant pressure (agrarian clientelism) to

3. This process would deserve a study of its own. Suffice it to say here that beside partible inheritance under the conditions of demographic growth the fragmentation and eventual privatisation of manorial holdings, which had been leased primarily to larger peasants before, played a major role. Another important factor – the expansion of short-term leasehold within the villages – will be discussed in section 2.

apply the language and rhetoric of class antagonism in opposing the local elite and mobilising state support.

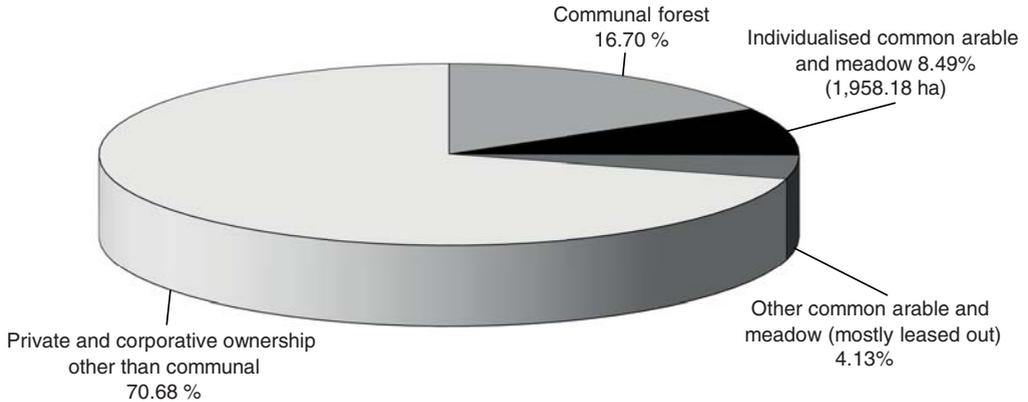
2. WHAT WAS AT STAKE? THE EXTENT AND PROPORTION OF COMMON LANDS IN THE REGION

From the 1750s onwards, there was a growing consensus among enlightened economic thinkers in most of Europe that collective usufruct rights and common grazing grounds posed an obstacle to productivity gains in agriculture (Zimmermann, 1989: 101-105; Konersmann, 2004). The dissolution of these institutions was generally advocated within the broader developmental concept of combining year-round stall-feeding, the cultivation of fodder crops and proper manuring for the purpose of enhanced farming performance. In the Margravate of Baden, the nucleus of the later greatly enlarged Grand Duchy (since 1806), the territorial lord and a few of his top officials tried to enforce an agrarian reform policy along physiocratic lines from around 1760, including division schemes in favour of the more substantial peasants (Zimmermann, 1983: 44-75, 145-189). Typically for the South-West, however, this authoritarian programme largely failed due to resistance from the villages and the government adopted a more conservative stance later in the 18th century (Zimmermann, 1989: 106). By so doing, it followed the examples of the neighbouring Palatinate Electorate and Duchy of Württemberg (Grüne, 2009a: 176-180; von Hippel, 1977: 254-257, 555-556, 561-569). Here, state reformers were more sensitive to specific local conditions and to the needs of small and sub-peasant groups so that the division was rarely pushed through against the will of the communities. What is more, if partition took place it was not only conducted on an egalitarian basis in general but shrank from full-scale privatisation lest – as a Württemberg state councillor put it – «the rich greedily buy up what is being sold by the less well-to-do» (von Hippel, 1977: 563).

As a consequence, the territorial decrees in this part of Germany ushered in a major transformation only where and when the pressure from the communities worked in the same direction. It is impossible to track the course of this piecemeal process on a supra-local level for lack of statistics and cumulative micro research (Brakensiek, 2000: 14-15). In the Baden Palatinate the conversion of collective pastures into individually used plots of arable or meadow was largely completed around 1810. Here, as in many places, allotments were granted equally to all citizens, who formed about nine tenths of the household heads in the villages (Grüne, 2001b: 81-2). There was a widening gap, though, between the size of the citizenry and the number of persons with current common usufruct during the 19th century, primarily because, as a result of population growth, new citizens had to wait several years before actually being admitted to the enjoyment of the limited com-

mon parcels. This was not, however, a matter of social status but of age and length of citizenship.

FIGURE 2
Tenurial structure and common land in the Baden Palatinate, 1854



Source: Beiträge zur Statistik 9/2 (1859: 234-240, 282-288).

In the Grand Duchy of Baden neither a couple of minor decrees regarding the management of commons in the first decades of the 19th century nor the new communal constitution of 1831, which was a milestone in democratising local politics, launched a forceful division programme. They contented themselves with laying down key provisions to welcome local initiatives (Ellering, 1902: 34-39, 46-70; Scherzer, 1940: 376-379, 392-394, 401-403). These guidelines reflected the close link between the formal equality of local citizens and the entitlement to common usufruct characteristic of South-West German villages. Besides, they displayed a high degree of socio-political concern. First, the common lands were to be distributed evenly among the citizens, unless lawful documents ruled against this principle. Second, the decision to divide and any further modification of the use system required a qualified majority of two thirds of the citizenry. Finally, the area in question should be given out as life-long tenancies, which were not allowed to be mortgaged, subleased or sold. Couched in legal terms, the Baden laws thus established or confirmed the dyad of «public ownership» and «individual possession» (van Bavel and Hoppenbrouwers, 2004: 13). The restrictions operating in Baden were owing to the feared prospect of secondary accumulation in the hands of wealthier peasants. Indeed, such negative experiences were made at the same time in the neighbouring state of Hesse-Darmstadt where in the villages of Echzell and Lampertheim, for example, many cottagers sold their allotments shortly after the conversion to private property of the local commons in

1821 and 1838 (Hook, 1927: 20-4). As late as 1883 strong objections to privatisation were reported from the village of Hemsbach in the Baden Palatinate, for instance, on the grounds that this would soon breed a rural proletariat and burden the whole community (Erhebungen 2, 1883: 6).

TABLE 1

Access to common land and holders of use rights in the Baden Palatinate, 1854

Community	Holders of use rights	Proportion of the citizenry (%)	Average share (ha) ^a
Altlußheim	245	^b 107.46	0.40
Brühl	36	26.87	0.49
Edingen	47	20.17	0.41
Feudenheim	316	59.62	0.68
Friedrichsfeld	22	19.13	0.23
Heddesheim	250	78.37	0.85
Hockenheim	442	85.49	0.60
Ilvesheim	111	40.81	0.87
Käfertal	340	76.58	0.56
Ketsch	90	38.14	0.26
Neckarau	255	52.04	0.39
Neckarhausen	120	53.81	0.76
Neulußheim	171	91.44	0.24
Oftersheim	0	0.00	0.00
Plankstadt	386	^b 126.56	0.60
Reilingen	134	41.61	0.46
Sandhofen	173	59.45	0.60
Schriesheim	0	0.00	0.00
Seckenheim	459	89.13	0.32
Wallstadt	98	61.64	0.44

^a In many places villagers passed through a series of «commons ranks» («Allmendränge») with growing shares of communal arable land according to the length of citizenship. The survey only stated the «average» size.

^b Neither the statistical survey nor local sources offer an explanation for the exceptionally high figures of more than 100 per cent in Altlußheim and Plankstadt. Maybe citizens from neighbouring villages were entitled too. More likely, they are just misprints in the official statistics which cannot be crosschecked.

Sources: Beiträge zur Statistik 4 (1856: 66, 72); Beiträge zur Statistik 9/2 (1859: 234-240, 282-288).

In 1854, when for the first time comprehensive data on common land are available, nearly one third of the land was communal property in the Baden Palatinate (see Figure 2). The larger part of it were forests (16.70 per cent). Nevertheless, communal arable and meadow constituted at least one eighth of the total area, of which about two thirds – 1,958 ha in absolute terms – were given out for individual use (Grüne, 2012).

TABLE 2

Agricultural farmland by tenurial status in the Baden Palatinate, 1873

Community	Full ownership (%)	Leasehold (%)	Individualised common land (%)
Altlußheim	67.56	22.57	8.28
Brühl	82.09	15.28	2.10
Edingen	64.16	29.32	2.61
Feudenheim	49.19	35.96	11.58
Friedrichsfeld	68.22	25.39	1.45
Heddesheim	40.07	43.55	13.41
Hockenheim	64.92	26.24	8.41
Ilvesheim	45.15	38.67	14.65
Käfertal	60.95	27.64	9.54
Ketsch	47.73	49.36	2.33
Neckarau	56.31	25.66	11.86
Neckarhausen	50.16	34.65	13.57
Neulußheim	58.18	26.76	10.40
Oftersheim	68.30	30.55	0.00
Plankstadt	56.30	23.11	19.21
Reilingen	77.30	14.47	4.98
Sandhofen	70.80	19.01	8.23
Schriesheim	75.18	24.72	0.05
Seckenheim	67.32	24.55	7.10
Wallstadt	56.83	31.34	11.05

Source: Beiträge zur Statistik 37 (1878: 126-127).

On average, more than half of all households was benefiting from these lifelong tenancies. As mentioned above, the difference between citizens and holders of use rights had arisen from demographic growth since the time in the late 18th and early 19th centuries when the commons were first divided into a fixed and then only occasionally modified number of parcels in each village. It is important to note that access to common usufruct was not regulated by social status (e.g. private property) but by the individual length of citizenship. Even the poorest local citizen would benefit from these resources sooner or later in precisely the same way as his wealthier neighbour. A breakdown of the data by the twenty communities reveals that local conditions varied considerably (see Table 1): In nine communities the holders of use rights made up less than half of the households but in eight places more than three quarters. The average individual acreage could reach almost 0.9 ha in places such as Heddesheim and Ilvesheim, which was nearly half of a small peasant farm by regional standards. Attempts at evaluating the social and economic ramifications of this common institution have to proceed from the local level.

This can be done with regard to the tenurial structure of the agricultural area based on aggregate farm data in 1873 (see Table 2). In most communities land held by full ownership formed the main pillar. The value ranged from 82 per cent in Brühl down to 45 per cent in Ilvesheim. Common land was not the only, not even the crucial cause of these differences. More important was leasehold that in the Baden Palatinate accounted for 76.61 per cent, on average, of the area not held by full ownership while common land made up 17.85 per cent.

TABLE 3
Tenurial structure of agricultural land by farm size groups
in the Baden Palatinate, 1873

Farm size group	Share (%) ^a	Property (%)	Leasehold (%)	Common (%)
0 - 1.8 ha	18.58	36.99	40.02	20.51
1.8 - 3.6 ha	20.25	49.70	38.63	9.36
3.6 - 7.2 ha	25.33	61.95	31.03	5.17
7.2 - 36 ha	23.01	75.06	19.99	1.94

^a Share of the peasant farm size group in the total agricultural area.

Source: Beiträge zur Statistik 37 (1878: 60-61).

Only in rare cases can these figures be further differentiated by farm size groups on a local level (Grüne, 2011b: 103, 110). One exceptionally early example is the village of Ofersheim, where 14.5 ha of pasture had been parcelled out already before 1722. When in this year the local tax cadastre was revised only two households had between 0.4 and 2 ha of farmland from private property and manorial tenure so that the semi-peasant group of cow crofters looked rather weak in relation to 18 peasants and 14 sub-peasant citizens. If the individually used plots from the common arable are taken into account, however, the number of cow crofters rises to ten (29 per cent). The same effect can be observed in Plankstadt in 1805 with regard to 59 ha of divided common land registered in the tax roll. Here the number of cow crofters increases from 42 to 67 (35 to 55 per cent) if the plots from the commons are included. Evidently, access to common land was particularly relevant to the sub- and semi-peasant strata, which is corroborated by the district statistics of 1873 (see Table 3). In the Baden Palatinate about one fifth of the agricultural area in the group with up to 1.8 ha stemmed from this source. The leasehold ratio of forty per cent among these semi-peasants was just slightly lower in the following small peasant layer of 1.8 to 3.6 ha, while the portion of common land fell under ten per cent here. But this was still almost twice as much as in the group of middle peasants with 3.6 to 7.2 ha, not to mention the large peasants (7.2 ha upwards) who derived only two per cent of their cultivation area from the commons.

To sum up, the extent of common arable and meadow given out as tenancies greatly varied between the communities. Even in a core area of common land like the Baden Palatinate its proportion rarely reached those twenty per cent and more which were discernible in some parts of North-West Germany (Grüne, 2012). However, egalitarian access and lifelong tenure ensured that the plots concerned played a vital role in the resource accumulation of smallholders (Grüne, 2007: 77-78).

3. HOW WERE THEY USED? INDIVIDUALISATION AND SMALL-SCALE COMMERCIAL FARMING

In the Baden Palatinate the division of pastures was inextricably intertwined with a genuine modernisation of agriculture from the outset. The conversion process in the last third of the 18th century went hand in hand with essential farming innovations: the diffusion of fodder plants, the introduction of year-round stall-feeding of cattle and the transition from traditional two- or three-course rotations to five- or six-field systems without fallow (Monheim, 1961: 61-65; Ellering, 1902: 28-29). Furthermore, particularly for the lower classes the additional plots served as welcome extra resources for labour-demanding and high-yielding cultures such as root and commercial crops. Accordingly, immediately after division into individual plots most common land was put under the plough and sown primarily with crops characteristic of the more intensive forms of agriculture at that time. This becomes clear from specific tithe registers («Novalzehnt-Verzeichnisse») for newly reclaimed land (Grüne, 2011b: 132-135). In the village of Heddeshheim, for instance, 25 ha of recently allotted horse and cow pasture were mainly cultivated with potatoes (11 ha), tobacco (4 ha) and hemp (4 ha) in 1797. The same was true of Neckarau in 1799, where most of a new field of 38 ha was devoted to tobacco (15 ha), turnips (14 ha) and potatoes (6 ha). In Plankstadt, as a last example, a pasture district of 30 ha had been converted into arable in 1797. Eight years later it was chiefly used to grow barley (7.5 ha), spelt (7.5 ha), potatoes (4 ha) and tobacco (5.5 ha). On the whole, in a rural society dominated by small and medium land owners equal access to common arable allowed these parcels to be readily and permanently integrated into intensified modes of production ranging from small-scale commercial farming among crofters to more effective forms of surplus grain agriculture by the peasantry proper.

Commercialisation, in this context, can be defined as the increasing extent to which farm produce was marketed on a supra-local level instead of being consumed in the household or sold to fellow villagers often within the scope of reciprocity relationships. In this respect, two types of agricultural commercialisation have to be distinguished within the wider region of northern South-West Germany: on the one hand grain-grow-

ing and stock-farming mainly pursued by the peasants proper and leaving the bulk of people to increasingly precarious forms of «natural subsistence farming»; and on the other hand labour-intensive cash-cropping centred on wine, tobacco and hops as it occurred in the Baden Palatinate, offering the majority of households the opportunity of lucrative «commercial subsistence farming»⁴. As for social polarisation or integration and, by extension, for political alignment the market could work in either way. In a more general perspective, this may inspire reflections on the question of how collective identities and the sense of belonging might have been affected by processes of market-integration, which are usually regarded as one of the driving forces in the creation of rural class society.

In 1866, when for the first time comprehensive quantitative data on cultivation conditions at the local level are available for the Baden Palatinate, only eleven ha of pasture compared to 14,731 ha of arable land and no fallow at all were recorded. Only 44 per cent of the cultivation area were devoted to cereals as against 18 per cent to potatoes, nine per cent to fodder plants and 17 per cent to tobacco (Grüne, 2007: 78-80). Of course, these proportions which are indicative of an agriculture with rather flexible crop rotations, cannot be attributed to the existence of common plots alone. But the ability of almost two thirds of the village households to engage in the extremely lucrative branch of tobacco growing was, to some extent, owing to the easy accessibility of common parcels through the system of lifelong tenancies (Grüne, 2007: 80-85). The source material for Baden makes it difficult to measure directly the development of farming productivity in the late 18th and 19th centuries⁵. Given the fact, however, that the Baden Palatinate's agriculture was capable of feeding a rural population, which had almost trebled between 1770 and 1850, it is safe to say that total output and also soil productivity rose considerably in this period. The transformation of collective pastures into broadly spread individual tenancies was a supporting factor in this process.

Growing tobacco needed a much greater input of work than grain or even potatoes. Around 1850 it was calculated that tobacco required 16 days of horse or oxen team and 135 days of manual labour per ha (Rau, 1851: 159). The expenses were estimated at 195

4. The term «commercial subsistence farming» may sound odd if subsistence economy is generally identified with a low level of market integration. But it aptly reflects the fact that, not only in this case, the production of cash crops by smallholders was still predominantly directed at covering basic family needs on an agricultural basis. The strong market involvement set this type apart from what I call «natural subsistence farming», while both differed in their economic potential and outlook from profit-oriented, increasingly capitalist modes of grain and stock farming among larger peasants (often in the same village). Of course, there were hybrid and transitory forms especially in the middle strata of village society.

5. For some figures see the next paragraph.

florins per ha, of which about two fifths could be met with the work of wife and children on smaller farms (von Babo and Hoffacker, 1852, 136-139). Nevertheless, tobacco was said to yield a net profit of up to 310 florins per ha (von Babo and Hoffacker, 1852: 139). Thus, on a small peasant farm with three ha arable land, tobacco if grown on one seventh (0.43 ha) of the area, contributed more than half of the marketable surplus of 220 florins (Rau, 1851: 183-184). In the late 18th and early 19th centuries the attractiveness of tobacco growing as compared with cereals had largely been due to marked price differences. While tobacco frequently reached more than twenty florins per hundredweight (cwt), the price of spelt, the staple grain in the region, oscillated around five florins per malter (mlt: 150 litres). Given average yields at that time⁶ the gross proceeds per ha often exceeded 200 florins and rarely fell below 130 florins for tobacco whereas they varied between 35 and 70 florins for spelt. After a slump in the 1820s, which affected both cereals and tobacco, prices began to soar again. The price gap did not open as wide as before since tobacco only sold for eight florins per cwt in the 1830s, climbing to 12-15 florins per cwt in the 1840s. But this was compensated by productivity gains in the cultivation of tobacco, with average yields per ha almost doubling to 25 cwt between the 1810s and the period 1843-1848⁷. As a result, the old ratio in gross proceeds per ha was re-established on a higher level in the 1840s with 120 florins for spelt and 340 florins for tobacco after the margin had been only 55 florins in the 1830s (Grüne, 2011b: 151-154).

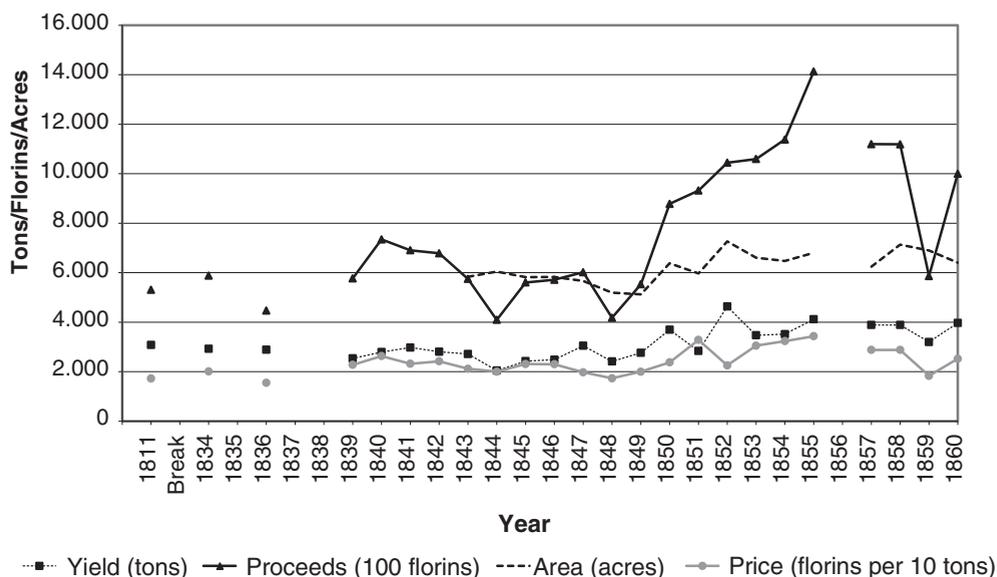
For most of the period under consideration, therefore, the terms of trade between grain and tobacco growing worked in favour of the latter by rewarding increased efforts with a distinctly higher cash value of the yield per acre. It was the combination of labour-intensity and productivity that made these crops attractive to small-holders, soil and climate permitting. Whatever else might have been lacking, they usually had plenty of family manpower. Increased productivity of this kind lowered the subsistence level in terms of minimum farm size and partly explains the high population density in the region. Yet, the commercial character of these special cultures went beyond the simple fact that the produce did not feed a family in the literal sense, but had to be sold in the market. The less area each household devoted to growing foodstuffs, the more money it had to spend on buying them from other sources. Indeed, the cultivation of tobacco could further erode what was left of a closed material circle on the farms not only in this respect. In the vicinity of Mannheim, for instance, peasants did not hesitate to buy large amounts of fodder and manure (e.g. urban excrements) in order to extend the tobacco area at the cost of other crops (Grüne, 2003: 369-370). The more small-holders, in particular, applied themselves to this

6. Around 1800 the average yields per ha in the region were 13.5 cwt tobacco and 7-14 mlt spelt.

7. Cereal yields, by contrast, seem to have risen considerably in the period 1790-1820 but grew much more slowly in the second quarter of the 19th century (GRÜNE, 2011b: 145-148).

type of commercial subsistence economy the more they became enmeshed in the cash nexus on both the revenue and the expenses side of the family budget.

FIGURE 3
Tobacco growing in the Baden Palatinate, 1811-1860



Sources: 'Tabelle über Tabakerträge, Verkauf und Preise in den Bezirksämtern des Neckarkreises', *Generallandesarchiv Karlsruhe (GLA)* 313/2160 (1811); 'Tabakanbau im Unterrheinkreis', *GLA* 237/29832 (1834); 'Anbau und Ertrag der Handelsgewächse in den Bezirksämtern des Unterrheinkreises', *GLA* 313/2192 (1836, 1839-1845); 'Nachweisung des Erwachses an Wein, Hanf, Hopfen, Tabak und Ölsaamen, so wie der Preise', *GLA* 237/12667 (1846-1855); 'Übersicht über den Bau der Handelsgewächse und deren Ertrag', *GLA* 236/16701 (1857-1858); 'Handelsgewächse im Unterrheinkreis', *GLA* 236/6122 (1859-1860).

The snapshot of the mid 1860s says little about when these patterns of cultivation evolved and so reflects structures of commercialism rather than processes of commercialisation. Furthermore, the social depth of market-oriented farming can only be estimated rather than actually measured. For the whole region there are annual data on tobacco growing for 1811 and then almost continually from 1834 (see Figure 3). The shortage of comprehensive figures for the first third of the 19th century necessitates caution as to whether the extent of the cultivation area and the level of yields in the 1830s and 1840s really did not exceed those of around 1810⁸. In any case, a significant increase in tobacco production occurred in the 1850s. The average area of 2,090 ha in 1843-9 rose by 17 percent to 2,450 ha in 1850-1860. Even then, the fluctuation of pro-

ceeds owed at least as much to the volatility of prices as to the change in yields (Grüne, 2007: 80).

For the time before 1811 one has to rely on scattered local tithe registers, which for the two villages of Reilingen and Seckenheim taken as examples here, provide some information on the tobacco area since the late 18th century. In Reilingen the cultivation area increased from 27 ha in 1755 and 28.5 ha in 1770 to 78 ha in 1811, 99 ha in 1845 and 116 ha, the maximum of that period, in 1853. So, after almost trebling in the last third of the 18th century, the area rose more slowly by 27 per cent in the next decades and by another fifth in the early 1850s. In Seckenheim, the paramount Baden tobacco village in the first half of the 19th century, 76 ha were sown in 1799 and nearly twice as much, 139 ha, in 1816. Here, the area kept growing by 42 per cent to 198 ha in 1845 and again by 17 per cent to a maximum of 231 ha in 1853. The rapid extension of the tobacco area in the late 18th and early 19th centuries suggested by the figures from Reilingen matches rather well with the fact that the regional agriculture was essentially transformed during this period, including the conversion of common pasture grounds into individually used arable land. The potential for progress was not exhausted by the 1810s as both examples, especially that of Seckenheim, demonstrate. Nevertheless, it was the half century between 1770 and 1820 that saw a boom in commercialisation in tobacco growing, which had to be sustained and accentuated but not created afresh in the subsequent decades (Grüne, 2007: 81-82).

Turning to the second question posed above, commercialisation of production is not tantamount to commercialisation of producers. Who actually benefited from the cultivation of tobacco and who was excluded? In 1869, when the communal authorities for the first time had to report on this matter, more than 60 per cent of all households on average were engaged in this branch of agriculture. In merely three out of the twenty villages it dropped below 50 per cent and in Reilingen and Seckenheim the portion amounted to more than three quarters (Grüne, 2007: 82). Interpreted in the light of farm sizes in 1873 (see Figure 1) most of the cow crofters probably grew tobacco. Based on the assumption that all peasants, i.e. 32 per cent of all households, grew tobacco, the remaining 30 per cent of tobacco growers must have been cow crofters who made up 36 per cent of the whole population. Most likely to be excluded among the landholders were of course the landpoor day labourers with less than 0.4 ha. This supposition is under-

8. In fact, this would not fit well with the productivity gains in tobacco growing mentioned above and with the extension of local cultivation areas observed in the villages of Reilingen and Seckenheim below. Therefore, the single figure for 1811 should not be given too much weight in the account of developments.

pinned by the fact that in Reilingen and Seckenheim the joint share of landless and land-poor citizens came pretty close to the portion of households not producing tobacco.

Again the question arises whether the social depth had been a constant feature of tobacco growing. To test this, there are two types of sources that by linking names to tax rolls, reveal which social groups grew and sold tobacco from the late 18th century onwards. For the earlier period, the analysis can build on the rare tithe lists that also provide the name and area of each cultivator. For Reilingen and Seckenheim documents of this kind can be examined for 1770 and 1811 and for 1799 and 1805, respectively. In the 1830s and 1840s some supplements to the communal accounts contain so called «Tabakwaagjournale» (tobacco weighing journals) in which every tobacco transaction was registered in order to levy a fee. Here, information on the names of suppliers and purchasers and on the quantities sold is available and has been evaluated for Reilingen in 1839-1840 and for Seckenheim in 1835-1836 and 1841-1842.

At first sight, the social profile of tobacco growing did not fundamentally change in the course of about 70 years (Grüne, 2007: 82-85; id., 2011b: 162-170). In Reilingen the cow crofters, the stratum most prone to pauperisation alongside the landless, constituted 58 per cent of the cultivators and held 41 per cent of the tobacco area in 1770, and while their share of the latter or the produce decreased a little until 1840, their percentage as growers rose by more than ten per cent. A similar pattern emerges in Seckenheim where the cow crofters managed to increase slightly their proportion of the cultivation area and the yield from around 1800 to the early 1840s, although they always had a weaker position than in Reilingen. The difference between the two villages largely derived from the fact that in Seckenheim the full peasant element was more marked throughout the 19th century.

For two reasons, however, conditions were not as static as these figures suggest. First, in a rapidly growing rural society structural stability in the form of enduring access to lucrative cash-cropping for small-holders was by no means a matter of course but a result of gradual agricultural intensification. Indeed, this is well reflected in the extension of the tobacco area during that period. Second, one has to relate the number of tobacco producers stated in the tithe registers and weighing journals to the household totals to make them comparable with the data of 1869. In Reilingen the 57 growers in 1770 represented only 43 per cent of 132 households but the 103 cultivators in 1811 represented 67 per cent of 152 and the 156 sellers in 1839-1840 made up 66 per cent of 237. In Seckenheim 73 per cent (196 of 269) of all households planted tobacco as early as 1799, which was nevertheless exceeded by 80 per cent (315 of 392) in 1841-1842. On the whole, then, while the relative position of the various social groups in the cultivation of tobacco re-

mained more or less unaltered, the last third of the 18th and the first half of the 19th centuries brought the integration of increasingly large parts of the village population into this sector of market-oriented farming. The commercialisation of production in terms of cultivation area was accompanied by a commercialisation of producers in terms of the portion of inhabitants involved.

4. WHO GAINED AND WHO LOST? FROM CLASS CONFLICT TO SOCIAL CONSOLIDATION

In the 1760s, the government of the Palatinate Electorate, like many German principalities, adopted a programme for raising agricultural productivity that included the conversion of common pasture into arable land (Mörz, 1991: 282-284; Schaab, 1992: 227-228). The scheme was encouraged by promising experiences with limited experiments of this kind, which some villages had conducted of their own accord (Medicus, 1773: 224-284). In addition, it was attractive to the state for fiscal reasons since the commons would be subject to tax and tithes after cultivation. To coordinate agrarian policy, among other things, the «General-Landes-Polizei-Ministerial-Oberdirektionskonferenz» – henceforth in short «Polizeikonferenz» (police conference) – was established in 1765 and vested with comprehensive authority to cast the reform ideas into effective ordinances. As a pilot project, four communities in the district of Heidelberg (later «Baden Palatinate») were directed in 1770 that «in future the common pastures, if ever possible by their location, should be distributed piecemeal among the singles, cultivated and planted with fodder and other crops, while the cattle should be kept at home in a stall» (Grüne, 2009a: 177). Since this measure and the tested method – the egalitarian allotment among all citizens in the form of lifelong right of usufruct, which also held sway in some other Germany territories, notably in the South-West (Prass, 1997: 103-105, 128-133, 137-140; Warde, 2002a: 215) – proved expedient, the model was eventually declared a territory-wide norm in 1771. At first sight not only the beginnings but also the outcomes of this process point to a success story of reform policy from above. Around 1800 the conversion was largely completed in nearly all communities and what remained to be done in the 19th century for the legislator in the Grand Duchy of Baden was basically to confirm the multitude of slightly varying local arrangements in a general law.

A closer look, however, reveals that the development owed its dynamics not so much to the efforts at implementation by the state administration, which, in fact, displayed a growing negligence from the mid-1770s onwards (von Hippel, 2000: 234). The vivid issuing of ordinances between 1765 and 1773 was followed by a standstill in this area (Mußnug, 1999: 436-594). Rather, the transformation was boosted by the specific con-

figuration of interests and conflicts in the localities⁹. Primarily lower class villagers pushed for the division of the commons and urged the bureaucracy to let the lyric of ordinances be followed by the prose of real reforms. This group of citizens who were globally termed «Tagelöhner» (day labourers), «Unbespannte» (non-horsed) or «Handfröner» (performers of feudal hand services) in the sources, actually consisted of a broader social range from cow crofters to entirely landless households. Many of them wrestled to secure their precarious livelihood through intensive cash-cropping and sought to supplement their small arable areas with plots from the pasture. By the pattern characteristic of South-West Germany, this intent was usually opposed by the larger peasants – «Bauern» (peasants), «Bespannte» (horsed) or «Fuhrfröner» (performers of feudal horse team services) in contemporary language – who with regard to their bigger live-stock, did not believe that they could dispense with the common pasture and the traditional privileges they enjoyed in such a system. This antagonism was also realised by the director of the physical-economic society of the Palatinate, Friedrich Kasimir Medicus (1772: 301-302), when he visited Feudenheim, one of the pilot communities mentioned above, in May 1771: «It is not to describe», he wrote, «how much the poor have been helped up by this impartial allotment of the pasture. Most resident rich of the place have drawn forth all to thwart it; but it is part of the glorious government of our serenest sovereign that finally all these prejudices have been overcome and that the Palatinate Electorate has established an example, which will certainly be emulated by its neighbours».

Medicus' reform euphoria proved premature since he underestimated the blockade power of peasant «village despotism» (1772: 303). The peasants may not have been able to resist the acute pressure of the central authorities and the lower classes. But backed by the plutocratic village council and in collaboration with the chief district official in nearby Heidelberg, the more prosperous sections of rural society often succeeded in exploiting the loopholes of the ordinances and the lack of government control. As a result, in many places the individualisation of the commons was restricted to the cow pasture, whereas large stretches of ox and horse pasture and land allegedly unsuited for arable were spared.

These tactics of delaying and diluting reform, in particular the maintenance of exactly those substantial portions of pasture, which quite naturally profited the peasants as the prevailing owners of oxen and horses, provided the background for sharp and protracted conflicts from the 1770s to the early 19th century. Be it in Feudenheim (1706-1814), Edingen (1754), Wallstadt (1762-1763), Sandhofen (1762-1794, 1833-1846), Seckenheim

9. For different patterns of rural resource conflicts in German regions in the 18th and 19th centuries cf. GRÜNE and KONERSMANN (2006: 57-63).

(1771), Heddesheim (1773-1805), Käfertal (1782-1783) or Neckarau (1784-1786), to name but the major instances: Almost everywhere it took the initiative of the local lower classes who could not sufficiently make themselves heard in the communal bodies and thus turned to state agencies, especially to the central authorities in Mannheim, to revive the stagnating modernisation of the economy of the commons (Grüne, 2011b: 206-258). In the course of the disputes, the district administration, the «Polizeikonferenz» and the government or the prince himself were addressed, at times flooded, with petitions by the two rival factions. Frequently, an investigating commission of government or court councillors was set up to examine the case on the spot and, if possible, to settle it. As a rule, in these struggles the district officers sided with the wealthier peasants, those principal neighbours on whose local power the provincial administration relied. Conversely, the centre favoured solutions that being geared to the original reform impulse, were more in line with the claims of the lower classes.

Essential elements of this general pattern are highlighted by the example of Feudenheim (Grüne, 2009a: 180-183, for the whole case). Although the village belonged to the four Heidelberg pilot communities, extensive districts of pasture had been preserved in 1771. Until around 1810 hardly a year passed by without the question of individualising these land reserves being put on the communal agenda and, due to contrary opinions, involving state officials. Step by step, the non-horsed village groups wrenched from the peasants those uncultivated areas on which the latter virtually exclusively sent their oxen and horses to graze. In the 1790s two particular pasture grounds of some 30 ha, the «Eggelwasser» and the «Neckarplatte», were the object of contention. By then, the officials had already become acquainted with local dissension over this question as a chronic problem. In December 1790 the Supreme Court councillor von Wrede who was charged with a local investigation, knowingly remarked that the citizenry, «as customarily happens in such cases, is not unanimous because of the different interests.» Under the impression of opposing petitions by the non-horsed and horsed and not quite resolved themselves, the authorities temporarily made do with varying interim solutions for some years.

The affair only came to a close when the non-horsed once again and now dramatically appealed to the government in March and April 1801. Referring to the «political economic principle of stall-feeding» and threatening that the perpetuation of present conditions would «entail the ruin of the citizens», they required the irreversible division of the pasture districts concerned. «Every citizen without regard to differences in wealth [shall] be eligible for his share of usufruct by all principles.» In June this demand was met by the government, which ordered the definite and egalitarian allotment. After repeated protests from the horsed and their references to village customs and a number of older, pro-peasant government decrees had failed, they strove to have the decision repealed by su-

ing their local adversaries at the Supreme Court («Hofgericht»). During the trial in July, which was still accompanied by petitions from the rival groups, not only the government was given the opportunity to explain its position. Also four authorised deputies and a lawyer of each party were interrogated by the investigating Supreme Court councillor von Weiler in Mannheim and Feudenheim. On 18 July the peasants' action was dismissed as unsubstantiated, the recourse to the Court of Appeal («Oberappellationsgericht») was rejected three weeks later. All juridical obstacles being removed, the allotment of the pasture could now take place in April 1802.

The petitions of the rival parties, which in the hot phases of the conflict came in almost on a weekly basis, and the investigation commissions generated an upsurge in communicative densification and informational penetration of local society by state agents. Especially the central authorities would not likely have learned about the deficiencies of the reforms if they had not been alarmed by villagers. Relevant in this point was not only the frequency of written and verbal communication as such, but particularly the immediate contact between the rural lower classes and high government officials. Obviously, this mechanism was not unprecedented in the process of early modern German state formation or, for that matter, in many European territories. In fact, it often provided an important instrument for bridging the institutional gap between centre and periphery. It must be emphasized, however, that government officials had long been inclined to back the position of local elites as guarantors of political and fiscal stability in such situations. The disputes over communal wood grants in the Duchy of Württemberg around 1600, studied by Paul Warde (2002b: 189-194), testify to this pattern for another territory in South-West Germany. In this respect, and in part owing to the economic reform agenda in the late 18th century, the example of the region considered here was strikingly different: If called upon, state representatives from Mannheim tended to support lower and middle class claims against the defenders of the agrarian status quo in the higher echelons of village society.

Furthermore, the government's enhanced capacity for control not only applied to the village chief inhabitants but also to its own provincial functionaries. As demonstrated by the Heidelberg district official's leniency, if not aid, with regard to peasant opposition to agrarian reform, the obstacles to policy enforcement partly resided in the state administration itself. In 1784, for instance, the government councillor von Weiler noted disparagingly with a view to the case of Feudenheim that «the Oberamt Heidelberg denies the principle of abolishing the common pasture and of distributing it among the communal members, which is supported by approved farming experts and has been adopted even in this country.»

Finally, as in related cases elsewhere (Warde, 2002b: 197-201), the conflicts over the commons actualised a structural problem of the early modern state: the dualism between state legislation and territorial statutory law, on the one hand, and local by-laws and vested rights on the other. When the peasants of Feudenheim resorted to the Supreme Court to defend their traditional privileges in July 1801, they also understood this move as a political statement in this respect. Since «it is not allowed to voice one's thoughts and opinion about the high government decrees», they declared, «[we] have to leave the substantiated answer to the Supreme Court.» This challenge was harshly rejected by the government, which insisted that «by virtue of our highest police authority we had full power to decide on the use of this common pasture and to restore those who had been excluded only for police considerations to their natural right of common use.» Thus, the affair evidently touched on sensitive constitutional matters. It may be doubted that the lower classes fully grasped this dimension. But it is obvious how important the experience of the benefits of princely supremacy could be to the social anchoring of the state's police authority. All the more so if the latter served to reduce the estate ranks within the village citizenry according to the often-cited principles of «equity» («Billigkeit») and «justice» («Gerechtigkeit»). By the same token the lower class struggle against peasant privileges assisted the central authorities in creating subjects equal before the law.

To sum up, the failure of communal self-regulation and the call for state authorities was crucial to the success of agrarian reform. In addition the new structures of communication and information also had consequences for the state's claim to police intervention. Having long been established in theory and ordinances, it was now exercised and perceived in a way material to the practice of rule and its legitimation as state interference came to be more closely related to broad popular interests and gained a degree of social authority it had often lacked before.

Alongside these rather novel lines of internal division in the second half of the 18th century, older fields of confrontation such as forestry and feudal services, which ordinarily united the majority of villagers against the outside, did not lie entirely fallow. In fact, they were to grow in importance again in the first decades of the 19th century when local society recovered stability, thanks to intensive farming and, not least, exactly to those agrarian reforms that had upset the previous generation (Grüne, 2003: 342-344, 350-355, 370-374, 381-383; id., 2011b: 273-295). Internal dissension did not entirely disappear but its explosiveness waned after many smallholders had been reintegrated into peasant society. As a corollary, landless citizens and day labourers lost their former political allies, who had proved decisive in overcoming the resistance of local elites against an egalitarian management of common lands. At the same time frictions between village communities and state authorities multiplied, culminating in the revolution of 1848-1849. Bureaucrats

found it increasingly difficult to penetrate the local sphere and this was partly due to the alienating effects of the more rigorous and formalistic style of administration adopted by the civil service of the Grand Duchy of Baden from the late 1820s onwards (Eibach, 1994: 81-111; Brakensiek, 2005: 66-67). But simultaneously the demand for intervention from outside declined, too, in a rural society which was gradually relieved of its severest structural tensions as a result of agrarian reforms and intensive agriculture.

5. CONCLUSION: TRANSFORMING THE COMMONS – REINTEGRATING AGRARIAN SOCIETY

As to the use of collective resources a goal conflict emerged within the bureaucracy between reform concerns and traditional elite policy in the 18th century. In many respects, these different outlooks were institutionally embedded in the dualism of in part newly established and largely reform-minded central executive bodies, on the one hand, and the regular provincial administration that maintained close relations to the village chief inhabitants, on the other. To break the resultant deadlock it required a vigorous impulse from local society, which, as a rule, only occurred when internal mediation had been wrecked on peasant intransigence. In the face of social polarization and the failure of communal self-regulation, then, the convergence of government reform programmes and lower class subsistence needs created a powerful alliance that, by eroding property-related estate privileges, paved the way for a legally egalitarian communal citizenry.

Petitions and commissional investigations played a key role in this context. The general significance of supplications and grievances has emphatically been recognised in the literature on early modern political interaction over recent years (Würgler, 2005: 46-52). As has been shown for the Duchy of Württemberg around 1600, for instance, there were cases in South-West Germany where these channels of appeal had led to closer contacts between high state representatives and village citizens in an earlier period (Warde, 2002b: 201-204). And here, too, government agents were offered opportunities to present themselves in the authoritative role of an «arbitrating and neutral power» by being drawn into local resource conflicts (Warde, 2002b: 202). Such means of communication proved all the more crucial to the bulk of the population in a territory like the Palatinate Electorate where there were no periodical occasions for bringing home matters of claim or complaint to non-villagers. The majority of rural society often depended on applying directly to the central authorities and on bypassing their local superiors and the provincial officials as the sole way of effectively putting their objectives on the communal agenda. For government councillors, meanwhile, the lower class recourse to the pen (or to a lawyer) though bothersome at times, generated valuable sources of information and problem orientation.

From a conceptual perspective currently leading interpretations should be supplemented by a view that includes into the explanatory framework patterns of rural class society, particularly in terms of socio-political self-perception and rhetoric, as early as the 18th century in regions of partible inheritance. In the examples analysed above the organisational backing of the commune as a public body only marginally contributed to the micro-dynamics and success of popular initiatives and, by implication, to the extension of government control. Far more important was the communicative and rhetorical capacity of social pressure-groups within the villages to address the central government directly and to involve remote state agents in the solution of vital local problems. To be sure, the «commune» still served as a pivotal point of reference in all these struggles. But precisely in the late 18th century the language of «communalism» was also starting to be heavily exploited as a mode of couching particularist claims by the sub- and semi-peasant strata (Troßbach and Zimmermann, 2006: 167-168; Grüne, 2009b).

By the second quarter of the 19th century, however, the situation had changed in the Baden Palatinate. Small and sub-peasant land holding not only played a major role in general but also matched with an agriculture which was strongly devoted to labour-intensive commercial crops, predominantly tobacco. The economic and social relevance of this product noticeably rose since the late 18th century. The conversion of common pasture into individually exploited lifelong tenancies was part and parcel of this process both in fuelling the transformation of agriculture in the first place and in guaranteeing access to land for smallholders in the long run. Similar interconnections have also been established for other European regions of 'petite culture' in the 18th and early 19th centuries, for example Alsace and Languedoc in France (Boehler, 1995; Plack, 2009: 133-152).

Commercialisation was not the only determining factor for these phenomena but neither was natural environment. In an economy increasingly interwoven at a supra-regional level, the exploitation of comparative advantages in soil and climate was mainly a matter of trading relations and sustainable market demand. Still, specialisation among small-holders also depended on the terms of trade between potential cash crops and the family's basic needs. From this angle the Baden Palatinate provides an example of rather favourable conditions, which allowed cow crofters and small peasants to extend the tobacco area at the expense of grain, potatoes and fodder, because the sales they made enabled them to buy more foodstuffs than they could have grown on their own. As against this type of «commercial subsistence farming» petty proprietors and tenants outside the Rhine plain who lacked the alternative of cultivating readily marketable goods on a large scale, relied on more traditional forms of «natural subsistence farming» by producing as many edibles as possible on their plots.

In the Baden Palatinate the specific effects of commercialisation on the social fabric were that despite demographic expansion, commercial agriculture encompassed a great and rising portion of households on the supply side from the late 18th century onwards. It reduced the subsistence-level of farming and reinforced the independent middle-class element on a peasant basis. Commercialisation of this kind worked as a source of social de-differentiation and of the integration of village society. The varying modes of commercialisation corresponded to differences in the political culture of rural South-West Germany, particularly during the turbulent 1830s and 1840s. This connection made itself felt whenever immediate economic interests were at stake. In the Baden Palatinate, for instance, the impending abolition of protective duties on foreign tobacco by the revolutionary national assembly in the autumn of 1848 provoked a vast petition campaign, which united the great majority of householders in the villages as signatories in defence of their «common good» (Grüne, 2011a: 155-161). Village-wide political mobilisation which has conventionally been seen as altogether typical of the small peasant world of the South-West, seems, on the whole, to have been most enduring where the market-integration of agriculture served to knit together various social groups in the community instead of dividing them – a process which was beginning to characterise the development of rural society in the Baden Palatinate in the early 19th century after decades of internal strife over the use of the commons. By the same token it was often not shared hardship but widespread prosperity, not least based on the integrative management of the commons, that enabled local societies to defy external powers.

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